

Canby City Council  
Regular Meeting  
October 21, 1974

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

Roll Call

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

Absent: Councilman Tate

Others Present: Treasurer St. Amant, Attorney Bettis Sr.,  
Adm. Wyman, Police Chief Graziano, Fire Chief Buttolph &  
Utility Board Chairman Newton

After a short period of study a motion was made by Councilman Giger, seconded by Gerber and carried unanimously approving the minutes of the previous meeting as distributed to the officials.

Administrator Wyman distributed copies of proposed Ordinance #587 that they might familiarize themselves with the draft before it comes up for first reading.

A package wine and beer license application for Southland Corporation for a proposed Seven-Eleven grocery at the corner of Hwy. 99E and SE Ivy Street was presented for the council's consideration. After verbal reports from the police and fire chiefs a motion was made by Councilman Wagner, seconded by Gerber and carried with one dissenting vote that the council recommend that the package license be granted.

The city recorder reported that all legal preparation for the election on November 5 on the matter of raising the city tax base from \$70,000 to \$500,000 had been completed including publication and posting of official notices for said election. A copy of the recorder's affidavit of posting is hereby attached to and becomes a part of the file copy of these minutes. A motion was made by Councilman Kariker, seconded by Gerber and carried that said affidavit be a matter of record.

Administrator Wyman called the council's attention to a 1969 franchise agreement with Pacific Northwest Bell Telephone Company for a five year extension had been prepared by the city attorney, checked by the Canby Utility Board and was now ready for acceptance by the council if the members were ready to make a decision. After a short period of discussion a motion was made by Councilman Gerber, seconded by Westcott and carried unanimously to adopt the five-year extension of the franchise effective August 15.

After a short study and discussion of the accounts payable print-outs a motion was made by Councilman Giger, seconded by Gerber and carried unanimously by roll call vote that claims in the amount of \$21,862.42 be approved for payment and warrants drawn on the treasurer in payment thereof. Then Administrator Wyman presented an invoice from Consultant Edwards for \$2,920. The council discussed the accumulative amount that had been paid to Edwards for his services to the Planning Commission and the council in the preparation of the comprehensive study. A motion was made by Councilman Wagner, seconded by Gerber and carried with one dissenting vote to approve said claim against the city. Then a motion was made by Councilman Wagner, seconded by Westcott

and carried to request a monthly summary of the engineering activities completed by Edwards and his firm and to be compiled in a monthly statement.

Administrator Wyman advised the council that some cities were advocating the elimination of municipal courts. The mayor exhibited a letter from the City of West Linn in that regard and recommending legislation to eliminate the municipal court and pass the responsibility on to higher courts existing or established for that purpose. After a period of discussion the mayor scheduled further discussion for a workshop after the research had been completed by the city attorney.

Administrator Wyman distributed copies of a proposal for improving the railroad parking lots with partial financing from the revenue sharing fund in the amount of \$20,000. The council discussed the proposition at length and heard a report from the previously appointed merchants finance committee regarding financing of the parking lot by a bank loan to be repaid from increases in the business license funds. Former mayor Larry Housen reported that the local banks would finance the parking improvement provided that adequate funds be budgeted by the city in order to guarantee repayment of the loans. After further discussion a motion was made by Councilman Kariker, seconded by Wagner and carried by a vote of 4 yes and 1 no that the plan as presented by Administrator Wyman and calling for \$20,000 revenue sharing monies for construction and the remainder financed by the merchants be adopted. Then a second motion was introduced by Councilman Giger, seconded by Wagner and carried by a vote of 3 yes and 2 no to amend the business license ordinance by increasing the annual fee to \$35. Then a motion was made by Councilman Westcott, seconded by Kariker and carried authorizing Supt. Whiteside to call for bids for the parking lot improvement as soon as legally acceptable.

Upon the administrator's request to hire Smith French III as deputy fire chief a motion was made by Councilman Giger, seconded by Westcott and carried to approve said employment.

Administrator Wyman advised the council on the success of a recent auction sale of obsolete and surplus city property. A copy of the receipts and expenditures from said sale with a net total to the city of \$3,383.19 is attached to and thereby becomes a part of the file copy of these minutes.

Councilman Westcott requested that a meeting of the city council with the Rural Fire Board should be arranged for the near future in order that some existing problems could be resolved. Mayor Roth advised that the dates of October 24 or October 29 at 7:30 p.m. be tentatively set for said meeting.

Upon the administrator's request the council discussed giving the administrator authority by ordinance to hire city employees without first going before the council. Although some councilmen were opposed to this procedure, Mayor Roth stated that the council hired the administrator to do the job and that they should either extend his authority or get rid of him. More discussion followed but no action was taken and Mayor Roth set a workshop for October 28 to continue discussion of the matter.

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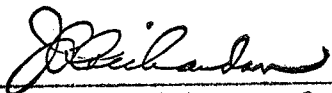
The council was advised that citizens had approached city officials regarding the unsightly building condition at the intersection of Grant and NW 2nd Ave. and thereupon the administrator advised that the owner of said property has applied for a building permit in order to complete his arrangements for financing the construction of a new building.

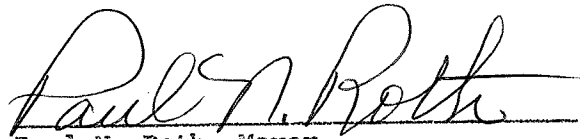
Councilman Giger commended the Public Works Department for the improvements at the city sewage disposal plant and urged that all members of the council visit the park-like site at the Canby sewage treatment plant.

Members of the council commended the Canby Fire Department for its action in suppressing a fire at Buchanan-Cellars grain elevator just prior to this council meeting.

The mayor and Councilman Kariker reported on a 2-day intergovernmental meeting in Corvallis attended by them. The purpose, Kariker said, appeared to be for the enlightenment of local officials on federal and regional authority and control. Mayor Roth said that a meeting of the CRAG General Assembly was scheduled for October 31 and that he planned to attend the meeting.

The meeting was adjourned at 9:25 p.m.

  
J. R. Richardson, City Recorder

  
Paul N. Roth, Mayor

P R O P O S A L  
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Revenue Sharing was established by the Federal government for fiscal assistance to the cities. Use of these funds was for priority purposes and necessary capital expenditures authorized by law. Revenue sharing funds could be utilized for the downtown parking lot, if the City Council has no other immediate use for these funds.

1. Use of revenue sharing funds could be the fairest way to pay for a needed facility, which will be utilized by all citizens.
2. We would not have to use needed tax dollars for this development and maintenance.
3. All business and business licenses would pay an equal amount.
4. No precedent would be set by the council by borrowing funds from a lending institution for development of outside activities.
5. Bookkeeping of the monies received would be easier to administer.

If the merchants would agree to a proposal, the City could use \$20,000 of revenue sharing monies, with the merchants paying the cost differences for the total development of the parking lot. Estimated development \$25,000.

Using 1974 as a criteria, 381 business licenses @ \$35.00 each would receipt \$13,335. Of this amount, \$2,400 per year would pay the railroad lease, and an estimated \$1,000 per year for maintenance of the parking lot. We then could retain \$9,525 in current expense where it is now utilized. After the fifth year, the railroad lease would increase to \$3,600 per year with \$2,000 per year for an estimated maintenance figure. These increases could be pro-rated and paid for by an increase in the number of businesses in the City.

Another alternative would be to retain the \$25.00 license fee and rent parking spaces for those employers and employees who are now parking on the streets. An estimated figure for a year's parking would be \$10.00 per month or \$100.00 per year, if paid in advance. (This could create a bookkeeping problem.) We would need about 340 patrons signing a year's lease for the first five years and 560 patrons a year beginning the sixth year.

AUCTION COSTS AND RECEIPTS

Auction Sale	Gross	Percentage	Cost of Sale		Net
			Commission	Advertising	
General Fund	\$ 603.50	13.09	60.35	20.37	522.78
Motor Pool	2,509.00	54.37	250.90	84.61	2,173.49
Utility Board <i>PAID BY CASHIER CK</i>	505.00	10.94	50.50	17.02	437.48
Fire Dept. " " "	204.00	4.42	20.40	6.88	176.72
Sewer Dept. <i>?</i>	<u>793.00</u>	<u>17.18</u>	<u>79.30</u>	<u>26.73</u>	<u>686.97</u>
	\$4,614.50	100.00%	\$461.45 <i>PAID BY CASHIER CK</i>	\$155.61 <i>PAID BY CASHIER CK</i>	\$3,997.44

City of Canby made a net total of \$3,383.19

NOTICE OF ELECTION TO ESTABLISH NEW CITY TAX BASE  
AND  
NOTICE OF GENERAL CITY ELECTION

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On Tuesday, November 5, 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

**EXPLANATION OF QUESTION:**

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.

Also, on Tuesday, November 5, 1974, in the City of Canby, Clackamas County, Oregon, from 8:00 a.m. until 8:00 p.m. a General City Election will be held for the purpose of electing officers of the City:

NOTICE OF ELECTION

Indicate your choice.

Place an (X) or a (✓) in the box to

Indicate your choice.

Indicate your choice.


Indicate your choice.

Indicate your choice.

The polling places in the City for the new City Tax Base Election and for the General City Election will be at the same places as provided by Clackamas County for the Statewide General Election to be held on the same day, Tuesday, November 5, 1974, and to such places as the Election Boards may legally adjourn.

The City Council has appointed the identical officers appointed by the Clackamas County Election Department for the Statewide General Election as the Election Officers for the City Tax Base Election and also for the City's General Election, and to serve in each of the polling places in the respective precincts to which they are appointed by the Clackamas County Election Department; however, the City Council by Ordinance has directed the City Recorder to appoint a separate Counting Board to count the ballots for the City Tax Base Election.

WITNESS my hand and seal of the City of Canby this \_\_\_\_ day of October, 1974.

  
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City Recorder

1974e 3- POLICE OR ELECTION