

City Council  
Regular Meeting  
November 4, 1974

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

Roll Call

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

Absent: Mayor Roth and Councilman Tate

Others Present: Attorney Bettis Sr., Administrator Wyman,  
Supt. Whiteside, Fire Chief Buttolph, C.O.P. Graziano  
and Foreman Atwood

A motion was made by Councilman Gerber, seconded by Wagner and carried accepting the minutes of October 28 as distributed. Then a motion was made by Councilman Westcott, seconded by Wagner and carried accepting the minutes of the October 21 meeting with one minor correction. The first line of Page 2, the word "engineering" should be changed to "planning".

Attorney Bettis read a draft of Resolution CLXXXII; A RESOLUTION ESTABLISHING A NEW SCHEDULE OF PRICES AND CHARGES TO BE MADE FOR LOTS, GRAVES, GRAVE LINERS, GRAVE OPENINGS AND MONUMENT INSTALLATIONS; AND REVISING RULES AND REGULATIONS WITH REGARD TO MONUMENTS AND MARKERS. After a period of discussion a motion was made by Councilman Westcott, seconded by Wagner and carried adopting Resolution CLXXXII with one correction. The last item on Page 1 was corrected from \$200 to \$50 for Saturday services.

A letter from the Loaves & Fishes was read by Administrator Wyman in which it was requested that the city provide \$300 from revenue sharing funds to help finance the cost of meal service furnished by Loaves & Fishes of Canby. A committee of seven people was present including George Cattley, Shirley Tooley and others who answered questions and furnished the council with facts and figures pertaining to the Loaves & Fishes services for less fortunate people of the area. They reported that they had served 10,496 meals in 10 months at a cost of approximately 55¢ per meal and that they had received donations from various sources in the amount of \$7,648.17. After a period of discussion a motion was made by Councilman Westcott, seconded by Wagner and carried that the city donate \$300 to the Loaves & Fishes organization to be taken from revenue sharing funds line item 05-0-57588 and Councilman Gerber recommended that the Loaves & Fishes activities be reviewed prior to the annual budget study.

Administrator Wyman read a letter from Cutsforth's Thriftway regarding a permit to park a trailer house on the Thriftway parking lot for the convenience of a person who was stationed there to protect an outdoor canned goods display until November 9 when the special sale would end. A motion was made by Councilman Wagner, seconded by Gerber and carried approving the trailer use on the Thriftway parking lot.

The council discussed the union contract agreement which had been the topic of discussion at the most recent council workshop. A motion was made by Councilman Westcott, seconded by Gerber and carried to approve the union agreement with minor exceptions; one that Section 1.3 Article VII should read "may" instead of "shall" regarding a five day period of compassionate leave and to eliminate the last sentence of Article IX, Section 4 regarding call-back time.

A motion was made by Councilman Westcott, seconded by Wagner and carried unanimously by roll call vote approving claims against the city in the amount of \$61,192.89 and that warrants be drawn on the treasurer in payment thereof.

The committee which had been appointed to research the availability and advisability of purchasing other property in the city hall block reported that the true cash value of property, excluding city owned property, was \$187,960 and that an eight year lease existed on the Bert's Automotive building. After a period of discussion the committee recommended that less costly property could be found within the city limits and that the matter be referred to the Citizens Advisory Committee for study.

The council discussed the two options for payment of engineering fees to Zarosinski-Tatone as 7½% of the total cost figure or \$22,500 flat. After a period of discussion a motion was made by Councilman Wagner, seconded by Westcott and carried to pay the engineering firm a lump sum of \$22,500 rather than on a percentage.

A package alcoholic beverage application was presented from Cutsforth's Thriftway for the new building on N.E. 2nd Avenue to the council. Due to the fact that the application had been received that day and that the police and fire departments had not had an opportunity to make their recommendations, it was agreed to hold the approval of the application over to the next regular council meeting.

It was reported to the council that Mrs. Louis E. Coleman had notified the city of her intentions of removing her husband's remains from Zion Cemetery to the Veteran's Cemetery in Portland and had requested refund of \$250 for cemetery property purchased by her less \$75 for opening and closing of the grave. After a period of discussion a motion was made by Councilman Kariker, seconded by Westcott and carried to refund \$175 to Mrs. Coleman upon the completion of the removal.

Attorney Bettis discussed with the council the advisability of considering elimination of the municipal court. He presented a document which he said was too long to read at that time, for the council's study and consideration at a later date.

The council discussed with Attorney Bettis the advisability of revising the business license ordinance in the comparatively near future.

Attorney Bettis reported that Frank A. Moscato had been designated as municipal judge pro-tem to act in the absence or disqualification of the regular municipal judge. Bettis said that he was acquainted with this man and that he would recommend him for that position. The council, after brief discussion, decided to hold the matter over for the next workshop.

Canby City Council  
Regular Meeting  
November 4, 1974  
Page 3

It was recommended by the fire chief, as spokesman for the special committee on fire personnel review, that Harold Kraxberger and David Denson be employed by the Canby Fire Department contingent on physical examinations. After a period of discussion a motion was made by Councilman Gerber, seconded by Wagner and carried to employ the two above named men.

The council discussed the matter of the League of Oregon Cities annual convention being scheduled for November 17, 18 & 19 and that the annual banquet was scheduled for Monday evening, November 18. A motion was made by Councilman Kariker, seconded by Wagner and carried to ~~postpone the~~ council meeting until Tuesday, November 19 at 7:30 p.m. *Recess*

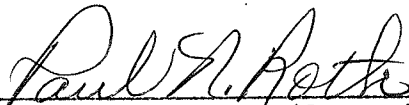
*As Quoted By The Attorney*

A motion was made by Councilman Kariker, seconded by Westcott and carried to recess this meeting to be reconvened at 5:30 p.m. on Wednesday, November 6, to canvass the results of the November 5 election.

After a short period of discussion of tentative items to come before the council in the near future the meeting was recessed at 8:50 p.m. to be reconvened at 5:30 p.m. on November 6.

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J. R. Richardson, City Recorder

  
Howard Giger, Council President

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

COUNCILMEN  
Anthony E. Gerber  
Howard J. Giger  
C. Ron Kariker  
Albert D. Tate  
Joe M. Wagner  
Robert D. Westcott

November 6, 1974

Honorable Members of the Council  
City of Canby, Oregon

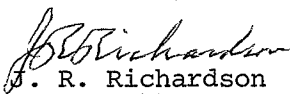
Re: Canvass of the Ballots

Gentlemen:

The results of Tuesday's election before you is the certified count on the tax base measure as certified by a special counting board this morning and an official-unofficial tabulation compiled by Clackamas County and telephoned to the city this a.m. The county reported that the certification would be mailed after 100% of the ballots are counted, but that there would be no change in the city tabulation as it would take 64 more votes for Taylor to make any change in the results.

I recommend, as city recorder, that the council adopt these results subject to certification by Clackamas County.

Respectfully,

  
J. R. Richardson  
City Recorder

JRR:cs1

County Clackamas

Election General

Page 2 of 2 pages

Name or No. of Precinct Ballot Number

Issue or Candidate

Walt Faist Write-In

Measure 14 E

Income Measure

SED Form No. 155 Aug. 1960

STATE OF OREGON  
ABSTRACT OF VOTES

Separate Sheets for  
1. President  
Vice-President

2. National Committeeman  
3. Delegates at Large  
4. Delegates - Districts

5. U.S. Senator and Congressman  
6. State Offices  
7. Judicial Offices

8. State Senators  
9. State Representatives  
10. Others

Canby Grade School

121

294

142

Canby City Hall

122

167

94

Canby Fire Department

123

172

108

Write-Ins

1

1

1st Conserv. Bapt. Ch.

124

215

121

Write-Ins

1

350 465

STATE OF OREGON

COUNTY OF CLACKAMAS

I, GEORGE D. POPPEN, County Clerk of the State of Oregon for the County of Clackamas do hereby certify that the foregoing copy of

Abstract for General Election 1974 has been by me compared with the original, and that it is a correct and true copy of the original, as the same appears on file and of record in my office and in my approved custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 14th day of November, 1974.

GEORGE D. POPPEN, Clerk

By: Darlene Evans Deputy

TOTAL

1

350

465

I certify that the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.

Signature of County Clerk:

George D Poppen

Date of Abstract

11/14/74

ABSTRACT OF VOTES AT GENERAL AND SPECIAL ELECTIONS:

Votes cast for Governor must be on separate page or pages.

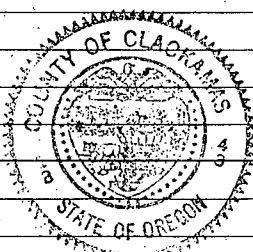
For additional instructions see ORS 250.810.

ABSTRACT OF VOTES AT PRIMARY ELECTIONS:

Separate sheets for Democratic, Republican, Nonpartisan, and other candidates.

Separate sheets for candidates for City, County (including precinct) and State office.

For additional instructions, see ORS 249.410.



Name or No. of Precinct	Ballot Number
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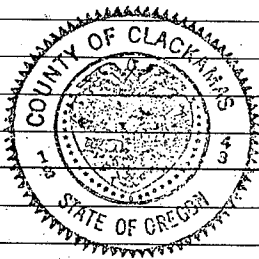
Canby City Hall  
122

Canby Fire Department  
123

Write-Ins

1st Conserv. Bapt. Ch.  
.. 124

Write-ins



STATE OF OREGON

COUNTY OF CLACKAMAS

I, GEORGE D. POPE, County Clerk of the State of Oregon for the County of Clatsop, do hereby certify that the foregoing copy of Witness has been by me corrected original, and the original, as the same appears on file and of record in my office and in the County clerk's office, is in full and true and correct copy.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal this 14 day of November, 1914.

GEORGE D. POPPEN, Clerk

By: <i>A. C. P. Inc.</i>	<i>E. J. Adams</i>
	Deputy

TOTAL

I certify that the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.

Signature of County Clerk:

Date of Abstract

11/14/74

ABSTRACT OF VOTES AT PRIMARY ELECTIONS:

Separate sheets for Democratic, Republican, Nonpartisan, and other candidates.

Separate sheets for candidates for City, County (including precinct)  
and State office.

For additional instructions, see ORS 249.410.

SED Form  
No. 155  
Aug. 1960

STATE OF OREGON  
ABSTRACT OF VOTES

### Separate Sheets for I. President Vice-President

2. National Committee
3. Delegates at Large
4. Delegates - Districts

5. U.S. Senator and Congressman
6. State Offices
7. Judicial Offices

8. State Senators  
9. State Representatives  
10. Others

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:

MAYOR: (Vote for one)

Paul N. Roth 1409 ☐  
\_\_\_\_\_ ☐

TREASURER: (Vote for one)

John F. St. Amant 1168 ☐  
\_\_\_\_\_ ☐

COUNCILMEN: Four-year term (Vote for three)

Priscilla S. Cox 515 ☐  
Howard Giger 877 ☐  
C. Ronald Kariker 753 ☐  
William R. Montgomery 611 ☐  
Robert E. Rapp 699 ☐  
Leonard Taylor 635 ☐  
\_\_\_\_\_ ☐

The voter shall place an (X) or a (✓) in the box to indicate his choice.

# SAMPLE BALLOT

for  
New City Tax Base Election  
held in  
CITY OF CANBY,  
CLACKAMAS COUNTY, OREGON  
on the 5th day of November, 1974

VOTE YES OR NO. MARK X OR ✓ IN THE SQUARE FOR THE ANSWER VOTED FOR.

Referred to the people by the Canby City Council

## ESTABLISHING NEW CITY TAX BASE

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

		PRECINCTS				
		121	122	123	124	TOTAL
100	<input type="checkbox"/> YES	175	82	127	159	543
101	<input type="checkbox"/> NO	340	228	244	232	1044
BLANK OR NO COUNT		17	9	28	20	74

## 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.

ABSENTEE VOTES  
DELIVERED BY COUNTY  
11-21-74

100 YES - 17  
101 NO - 19  
36

TOTAL VOTE 1661