

REGULAR MEETING OF THE CANBY CITY COUNCIL

June 4, 1973

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 Gerber, Giger, Kariker, Tate, Wagner and Westcott.

Absent - None.

Others present - Attorney Bettis, Administrator Wyman, Acting Supt. Whiteside, Police Chief Graziano, and a number of other City employees.

Mayor Roth called for the approval of minutes of the meetings of May 15, 21, and 29. Thereupon, Councilman Westcott moved that a portion of paragraph two of the minutes of May 15, be deleted as it pertained to his assurance to the Council that the Fire Department had approved the recommendation. The motion was seconded by Tate and carried unanimously to delete that portion of the minutes. Councilman Tate moved for correction in the fourth paragraph of the May 15 minutes pertaining to the favorable credit report of Graziano contending that he was only posing the question of favorable credit. The motion was seconded by Westcott, and carried unanimously. A motion was made by Councilman Gerber, seconded by Giger, and carried unanimously to direct that a portion of paragraph five of the minutes of May 21 to read CPL programs instead of PPL. Then a motion was made by Councilman Giger, seconded by Gerber and carried unanimously to accept the minutes as corrected.

Upon information that no answer had been received to a request written to the Clackamas County Commissioners for further information on City-County Revenue Sharing proposals, a motion was made by Councilman Gerber, seconded by Wagner and carried unanimously to contact the Mayors of other towns in the County with approximately 5,000 population to get their reaction to the recommended Revenue Sharing distribution.

Attorney O'Leary appeared before the Council in continuation of the request for one year's leave of absence for Louie Cole. Administrator Wyman read excerpts from a letter from the League of Oregon Cities classifying the types of fringe benefits that were sometimes furnished by the City to members on extended leave of absence because of illness. The Administrator reported the estimated cost of total City benefits for officer Cole at \$1,630.00. After a period of discussion, a motion was made by Councilman Westcott, seconded by Tate that the City grant a leave of absence to former City employee Louie Cole for one year with payment of medical plans to be reimbursed to the City by Cole. The resulting vote was three favoring the motion and three against, and the Mayor broke the tie by voting no and thereby defeating the motion. After further discussion during which Attorney O'Leary stated that Cole had not been recognized as, or paid the salary of police sergeant by the City. The question arose as to whether it would be mandatory to carry officer Cole as a participant in the state required retirement plan after July 1. After a study of the state law pertaining to uniform personnel retirement, Attorney Bettis interpreted the law as not obligating the City to carry Cole on the retirement plan while he is on leave of absence. Then a motion was made by Councilman Giger, seconded by Gerber to extend Louie Cole's leave of absence for one year and that final determination will be made at that time; that the city pay his P.A.C.C. premium while on leave of absence; unless a determination of his status could be decided by the end of the year. The vote resulted in three affirmative and three negative and the Mayor cast a yes vote to break the tie and carry the motion. Councilman Westcott then moved that the cost of the insurance premium for Cole during leave of absence be paid from the City general fund. The motion was seconded by Giger and carried unanimously.

The Council discussed the almost unanimous wishes of the City and Utility Board employees to adopt the retirement plan proposed by Mass. Mutual. Thereupon, Councilmen Tate and Westcott proceeded to point out inequities in the proposed Mass. Mutual plan and the lack of comparative information between that plan and the one proposed by Pacific Mutual. After a period of detailed discussion, a motion was made by Councilman Giger, seconded by Wagner and carried by a vote of four to two to designate Mass. Mutual as the City's acting agent for retirement program.

The Council discussed the passage of a resolution relating to state participation cost on railroad crossing signals. The Mayor ordered the matter held over to the June 18 meeting for further consideration.

Mayor Roth called the Council's attention to a Mayors Association workshop at Cottage Grove in July. After a period of discussion, a motion was made by Councilman Giger, seconded by Wagner and carried unanimously authorizing the Mayor's attendance at the workshop.

Administrator Wyman recommended to the Council that Police Officer Antoine be appointed sargent effective June 1, at the present rate of pay until July 1, sargents pay thereafter with six months probation. A motion was made by Councilman Giger, seconded by Wagner and carried unanimously approving the Administrator's recommendation. The Administrator further recommended that as a result of applications and interviews presented recently that Francis Adair be appointed as Police Patrolman providing his credit check and physical are satisfactory, and that Richard Townsend might be appointed for the position if Adair should not meet qualifications. A motion was made by Councilman Westcott, seconded by Tate and carried unanimously approving the recommendation of the Administrator regarding the above police employment.

Administrator Wyman advised the Council of pending legislation which if passed, would deprive the City of certain state funds and announced a meeting scheduled by the League of Oregon Cities at 10:30 a.m., on June 7 in Salem. After a period of discussion, Mayor Roth, Administrator Wyman, and Councilman Kariker indicated intentions of attending the meeting.

The Administrator made further recommendations regarding City Hall Office space, conferences with auditor Douglas regarding future accounting methods, and the policy of conducting informal Council workshop on the second and fourth Monday evenings of each month. After a period of discussion, a motion was made by Councilman Kariker, seconded by Gerber and carried unanimously approving the Administrator's recommendations.

A motion was made by Councilman Giger, seconded by Tate and carried unanimously by roll call vote approving the claims against the City and that warrents be drawn on the treasurer in payment thereof.

Councilman Gerber advised the Council that the Planning Commission had approved a subdivision plat which was later found to be in violation of Section 13 of the subdivision ordinance and that the matter was scheduled for conference on Wednesday, at 8:00 p.m. Attoreny Bettis reported the matter was being resolved.

Councilman Tate requested time for labor negotiations on the agenda at 8:00 p.m. on Monday, June 11.

Councilman Westcott reported that he had requested that the Canby Utility Board furnish a complete and thorough cost analysis report to raise the water distribution system to full first class standards.

Councilman Wagner complimented the Fire Chief on the quality of his monthly report. Fire Chief Buttolph reported that the new firefighter was doing a good job and continuously busy.

Councilman Gerber called the council's attention to the yellow street lines recently painted by City equipment.

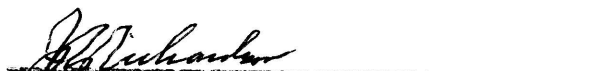
The Council discussed the dangerous condition of a water line valve adjacent to the Rose Tavern.

Acting Supt. Whiteside reported that Tom Kately had been in violation of the zoning ordinance for a period of time and had been refused construction permit by the Public Works office and by the Planning Commission. Whiteside said Kately was aware of his right to appeal before the Council, but had not done so. After a period of discussion, a motion was made by Councilman Giger, seconded by Kariker and carried unanimously that the City authorize the Attorney to proceed with the preparation and file of appropriate suit or action against Kately incident to the violation of existing ordinances which involved construction of a car port at 804 North Cedar.

The Chief of Police reported numerous dog complaints and evidence that a dog control officer was badly needed.

The meeting was adjourned at 10:08 p.m.


Mayor


Recorder