

REGULAR MEETING OF

Canby City Council - 5 June 1972

The meeting was called to order by Mayor Braman at 8:01 p.m., followed by the Traditional Flag salute.

Roll Call: Present - Mayor Braman, Councilmen Giger, Keil, Lindsay, Raines and Wagner,
Absent - Councilman Tate.

Others Present: Attorney Bettis, Supt. Herbison, Police Chief Harris, Utility Chairman Newton.

A motion by Councilman Giger, seconded by Keil, carried unanimously approving the minutes of meeting 15 May as distributed.

Minutes of the Planning Commission meeting of 9 May were distributed to members and acknowledged.

ORDINANCE No. 552 AN ORDINANCE PROSCRIBING GENERAL OFFENSES AGAINST THE PUBLIC, SAFETY, MORALS AND GENERAL WELFARE AND REPLACING CERTAIN ORDINANCES was read by title only by the City Attorney. A motion by Councilman Giger, seconded by Wagner, carried unanimously by roll call vote that Ordinance No. 552 be adopted on final reading and become a part of the laws of the City of Canby.

ORDINANCE No. 553 AN ORDINANCE TO REGULATE TRAFFIC; ADOPTING BY REFERENCE THE STATE UNIFORM TRAFFIC ACT, PROVIDING FOR LOCAL TRAFFIC REGULATIONS, THE REGULATION OF PARKING, DRUNKEN AND RECKLESS DRIVING, AND THE PLACING AND MAINTENANCE OF TRAFFIC SIGNS AND MARKERS; PROVIDING PENALTIES FOR VIOLATION, AND REPLACING ORDINANCES No. 292 and 464 AND DECLARING AN EMERGENCY was read on final reading by title only by Attorney Bettis. A motion by Councilman Wagner, seconded by Keil, carried unanimously by roll call vote adopting the Ordinance No. 553 to become a part of the laws of the City of Canby.

ORDINANCE No. 555 AN ORDINANCE AMENDING SECTIONS 24, 26, 28 and 32 OF THE SUBDIVISION ORDINANCE No. 443 was read on final reading by title only by the City Attorney. A motion by Councilman Giger, seconded by Keil, carried unanimously that Ordinance No. 555 be adopted and become a part of the laws of the City of Canby.

ORDINANCE No. 557 AN ORDINANCE ADOPTING A UNIFORM FIRE CODE TO PRESCRIBE REGULATIONS AND GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; ESTABLISHING A BUREAU OF FIRE PREVENTION AND DEFINING THE POWERS AND DUTIES OF ITS OFFICERS; PROVIDING AN EFFECTIVE DATE; AND REPLACING ORDINANCE No. 446 was read on final reading by title only by Attorney Bettis. A motion by Councilman Giger, seconded by Wagner, carried unanimously by roll call vote that Ordinance No. 557 be adopted and become a part of the laws of the City of Canby.

John McIntyre, Clackamas County official and Fred Bolton of the DEQ approached Council regarding the proposal for the City of Canby to service a community on the North side of the Willamette River with sewage ~~and~~ disposal service. McIntyre said the County was ready, willing and able to form a Public Service District of said community so that if the City accepted the proposal the Council would be dealing with a County entity rather than with individuals. Bolton revealed that the Canby Sewage Plant had been tentatively selected for the site of the Regional Sewage Disposal Plant. After a period of discussion the Council asked that the County make a ^{REQUEST} ~~Report~~ by letter for this particular Sewage Disposal Service. McIntyre indicated it would probably take six months to complete the transaction.

Attorney Bettis announced that the meeting before the Metro Area Boundary Board in Portland was scheduled for 14 June 72, 8:00 p.m., at which time the hearing on the VanDoren Annexation proposal would be on the agenda. Bettis said that it was very important that the Council have a spokesman present who was well qualified to explain the City's position and reason for denying the annexation application. The Council discussed the matter and recommended that Planning Commission Chairman Ross and City Building Official Whiteside represent the City at the stated hearing.

Councilman Raines reported that he had discussed the proposal of the United Canby Merchants to improve the RR parking lots with members of that group, and that they requested an informal meeting with members of Council within two weeks. Mayor Braman said he would make arrangements for such a meeting.

A letter from Edith Wilson of Philomath, Oregon, was read in which she questioned the charges for resetting of a stone in Zion Cemetery. After a period of discussion a motion by Councilman Wagner, seconded by Giger, carried unanimously to leave the decision to the Cemetery Commissioner.

A request from Mrs. Robert Torgeson was presented by the Recorder for the transfer of one vacant space in Zion Cemetery under title to Hazel Torgeson, recently deceased. The Council also left decision of this matter to the Cemetery Commissioner.

Attorney Bettis proposed to Mayor Braman by letter that the membership of the Ordinance Committee be increased to represent all Departments of the City Government. Thereupon Mayor Braman reappointed Councilman Tate as chairman of the Ordinance Committee along with Supt. Herbison, Recorder Richardson, Fire Chief Rodewald, Police Chief Harris, Utility Manager Cox, and that Municipal Judge Maloney be advised when Ordinance studies pertaining to Municipal court are being undertaken. Also appointed was Gordon Ross, Chairman of the Planning Commission.

The Recorder reported that the manager of the Sentry Market had requested permission to place potted trees along the sidewalk in the commercial area. As the manager was not present, the Mayor directed that a plan with the varieties of trees intended be presented for the Council's consideration. The Mayor referred the matter to the Police Dept who are responsible for regulating obstructions on the sidewalk.

Supt. Herbison presented water construction change order # 7 composed of a provision to install a generator at the water intake site. After a period of discussion a motion was made by Councilman Giger, seconded by Keil, to approve the change order. The motion was later withdrawn upon the recommendation of the Attorney that the change order could not be approved without passage of a new Ordinance or that the responsibility for payment be assumed by the Utility Board. Supt. Herbison said that the welding on the storage tank had still not met specifications and that the tank would have to be resandblasted and painted inside.

The status of Ordinance No. 548 authorizing purchase of the Burroughs posting machine was discussed. Attorney Bettis said he would prepare a repealer Ordinance to be presented for Council consideration at the next regular meeting.

A motion by Councilman Lindsay, seconded by Giger, carried unanimously by roll call vote that claims against the City be approved for payment and that warrants be drawn against the treasurer in payment thereof.

The Council discussed the contents of a letter from the attorneys representing Nell Fields, who is looking to the City for settlement of an injury claim whereby she allegedly hooked the toe of her shoe in a water meter depression in the pavement, falling and severely cutting her arm, on 1 January 1972. Discussion revealed that this accident had not been reported to the City Officials prior to receipt of the attorneys letter. Attorney Bettis reported that he had answered the attorneys letter and referred the claim to Read-Bentz Insurance Company.

Copies of the monthly fire and ambulance report were distributed on the Council table.


A motion was made by Councilman Wagner, seconded by Raines, carried unanimously authorizing the Fire Chief and Fire Marshal to attend a four day conference at Lincoln City, Oregon, 18 - 21 June 72.

Councilman Raines reported the crosswalks on the State Highway through Canby badly in need of repainting. He was advised to call the State Highway Engineers and report the situation. Raines also reported poorly replaced paving over recently laid water lines, particularly S. Holly, N. Ivy and Ferry Road. The Council agreed this to be the responsibility of the Utility Board.

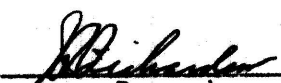
Supt. Herbison reported that the Lab building at the Sewage Disposal Plant was nearing completion and that the landscaping was due to be completed in the near future. He further reported the water intake facility in the Molalla River nearing completion. Herbison also reported that the base had been poured that day for the flag pole in Wait Park. After a short discussion Council set 7:00 p.m., Friday 7 July 72 for a Park dedication program.

After discussing vacations contemplated by various members of Council, a motion by Councilman Giger, seconded by Raines, carried unanimously to schedule the second regular meeting of the month for 12 June instead of 19 June 1972.

Meeting adjourned at 10:16 p.m.



Mayor



Recorder