

REGULAR MEETING OF
Canby City Council - April 3, 1972

The meeting was called to order by Mayor Braman at 8:12 p.m., followed by the traditional flag salute.

Roll Call: Present - Mayor Braman and Councilmen Giger, Keil, Lindsay, Raines, Tate and Wagner. Absent - None.

Others Present - Attorney Bettis, Superintendent Herbison, Fire Chief Rodewald, Foreman Atwood, Officer Nastasia, Employee Kraxberger and three secretaries.

It was moved by Councilman Wagner, seconded by Giger and carried unanimously that the minutes of the meetings of March 20 and 21, 1972 be approved as distributed. The Planning Commission minutes for meeting of March 8 were read and acknowledged by Council.

Ordinance No. 550, AN ORDINANCE PERTAINING TO THE CONSTRUCTION, ALTERATION, REPAIR AND MOVING OF BUILDINGS WITHIN THE CITY OF CANBY, OREGON; PROVIDING FOR PERMITS AND FEES THEREFOR, AND PROVIDING FOR VIOLATION THEREOF; REPEALING ORDINANCE NO. 493 AND DECLARING AN EMERGENCY, was read on second reading by title only by the City Attorney. A motion was made by Councilman Giger, seconded by Keil and carried unanimously by roll call vote that Ordinance No. 550 be adopted and become a part of the laws of the City of Canby.

Ordinance No. 551, AN ORDINANCE AMENDING ORDINANCE NO. 492 RELATING TO SEWER AND WATER MAINS AND PROVIDING FOR REFUNDING OF COSTS, was read on final reading by title only by Attorney Bettis. A motion was made by Councilman Giger, seconded by Lindsay and carried unanimously by roll call vote adopting Ordinance No. 551 to become a part of the laws of the City of Canby.

John Carlson, representing Canby Industrial Park, appeared before Council regarding sub-dividing of the property adjacent to the new Water Treatment Plant. After a period of discussion Mayor Braman referred the matter to Councilmen Giger and Raines and Supt. Herbison to call a meeting of property owners involved and report results back to Council.

Change order no. 2 of the Water Reservoir Contract calling for revision of paint specifications and increasing cost by \$196.00 was presented. After a period of discussion a motion was made by Councilman Giger, seconded by Wagner and carried unanimously approving change order no. 2.

The Council discussed Buford Knight's letter requesting that the City pave a section of N.W. Baker Drive. A motion was made by Councilman Raines, seconded by Keil and carried unanimously to advise Mr. Knight that the project would be included in priority list of paving requirements and that may be accomplished as vehicle usage and funds available may apply.

Councilman Giger stated for the record his opinion that a prior decision of the Council to retain Police Chief Walter should be reconsidered. The City Attorney advised that a motion to reconsider must be made by one who voted with the majority according to Roberts Rules of Order. Discussion followed including testimony by a former Police Officer, William Layton, Lois Larsen and others, that the resignation of Walter would be tantamount. Mayor Braman advised the Council that \$483.00 overtime to Police Officers was paid on March 31st without prior approval as required by his Directive No. 1. Councilman Tate said the shortage of manpower occurred prior to the effective date of the Directive and was thereby approved. Councilman Giger said that "the City cannot afford this type of coverage". Mrs. Larson said that a recall petition was not a threat, but the citizens prerogative. Mrs. Larson extended her appreciation to the Mayor for his efforts in solving the Police Department problem. The audience applauded after Mrs. Larson's statement. Former Police Reserve Warren Cox suggested that if Chief Walter were to pull a regular shift, less overtime pay would be necessary. Upon Council decision to hold a personnel meeting on Tuesday, at 7:00 p.m., planning commission member Edgerman said that a personnel meeting was not the answer. Former Police Reserve Stellatto stated that the present Police situation was a "sore bone of contention, and a thorn in the City's side".

A number of persons approached the Council regarding the untidy appearance of the Cemetery over the Easter Holiday. Supt. Herbison explained that personell problems at the Cemetery, unuseable mowers and inclement weather as reasons for Cemetery appearance. Mayor Braman advised that Councilman Keil accompany Mrs. Larson and C.C. Shepard to the Cemetery in the near future and evaluate the immediate improvements needed.

A motion was made by Councilman Tate, seconded by Wagner and carried unanimously approving recommendation from the personell committee that City personell be paid on the 5th and 20th of each month in the future or the day before a holiday that might fall on either of these days.

Week End
A motion was made by Councilman Giger, seconded by Keil and carried unanimously approving recommendation of personell committee to transfer Lynn Kraxberger to the street department and Michael Roberts to the park department.

A motion was made by Councilman Keil, seconded by Lindsay and carried unanimously to increase employe Roberts' salary to \$3.71 per hour, retroactive to March 31, and employe Terry Goatlys' salary to \$3.71 per hour effective March 14.

Sue Cox approached the Council regarding a previous request that the City grade the Community Swimming Pool parking lot, and provide enough asphalt to connect existing sidewalks. After a period of discussion a motion was made by Councilman Wagner, seconded by Raines and carried unanimously to grade the parking lot one (1) time, and table the asphalt request for the present.

A motion made by Councilman Raines, seconded by Giger, carried unanimously, approving recommendation to the Oregon Liquor Control Commission that a license for Howard L. William at Canby Big Store, be approved.

John Jones, representing the AFL-CIO local Union, led the discussion regarding a vote of 19 City employes conducted recently, and stated that it constituted only a "straw vote". After considerable discussion a motion made by Councilman ~~Wagner~~ *Raines*, seconded by ~~Keil~~ *Wagner* that the City recognize the local council #75 AFL-CIO City and County local as sole bargaining agent for City employees other than the Fire and Police Departments and the line crews. Councilman Giger moved to table the motion for further consideration but his motion died for lack of a second. Upon call for the question, the vote resulted in a 3-3 tie; whereupon Mayor Braman cast an affirmative vote and the motion carried. The Mayor said he would appoint a person to represent the City on a negotiating committee.

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

Councilman Lindsay and Attorney Bettis were excused at 10:12 p.m.

Burt Walker approached the Council regarding its approval of a 236 housing development for low-income people. After considerable discussion it was moved by Councilman Giger, seconded by Wagner and carried by a vote of 4 yes, 1 no, that it was the intent of the Council to adopt a resolution to be proposed by the City Attorney to allow 236 housing in the area east of S. Locust street only.

The Council discussed its' prior desicion to pave N. Ivy Street this year. Councilman Raines objected to the phraseology of a letter mailed to property owners on N. Ivy Street by the Public Works Dept. Other members of the Council voiced approval of the letter. Supt. Herbison read a letter from Canby Telephone Association containing information that their intent was to construct a conduit the full length of N. Ivy Street in 1973, and which they hoped would be prior to the paving project. The matter was tabled for further study.

The Council discussed a request from Ed Soper of Oregon City that someone from Canby be appointed to attend a planning session for the American Law Day program to be observed on May 1, 1972. It appeared that no one was available to attend the meeting.

The Mayor then recessed the meeting to be reconvened at 8:00 p.m., Tuesday, April 4, 1972, to continue the conduct of City business.

Meeting recessed at 11:00 p.m.

Carl Branan
Mayor

4-3-72

J. B. Bland
Recorder

RECONVENED SESSION OF

Canby City Council Meeting of April 3, 1972

The meeting was called to order by the Mayor at 8:08 p.m. Tuesday, April 4, 1972.

Roll Call: Present - Mayor Braman, Councilmen Giger, Keil, Lindsay, Raines, Tate and Wagner. Absent - None.
Others present - Supt. Herbison and the City Recorder.

The Council discussed a petition received on March 20, 1972, requesting the repaving of S. Elm Street. A motion made by Councilman Keil, seconded by Giger and carried unanimously approving recommendation of the Mayor that the petition and accompanying letters be acknowledged and filed for future reference.

A motion was made by Councilman Wagner, seconded by Keil, carried unanimously to accept Sewage Disposal Contract change order no. 4 which included improvements and finishing touches at the new Sewage Disposal Plant at an increased cost to the City of \$5,287.30

The City Recorder displayed a proposed plaque to be engraved for Wait Park as developed by ex-Mayor W. Dinteman. After a period of discussion a motion was made by Councilman Giger, seconded by Keil, passed unanimously to adopt the proposal, and authorizing that a bronze plaque be made and placed on the flag pole base in Wait Park. The Recorder told the Council that a meeting had been arranged with the Burroughs Corporation for Wednesday morning, at which time the budgetary accounting program on the L 4000 electronic machine would be demonstrated. After a period of discussion a motion was made by Councilman Giger, seconded by Keil and carried unanimously that if the demonstration was satisfactory that progress be authorized for the purchase-rental of the L 4000 machine.

A motion made by Councilman Giger, seconded by Wagner, carried unanimously approving the recommendation of the personnel committee that Sandra Lee Whitaker be employed for a period of three months at a salary of \$2.30 per hour as secretary to the Fire Chief and the City Recorder. A motion made by Councilman Giger, seconded by Keil, carried unanimously to approve the recommendation of the personnel committee that the leave of absence of Police Officer Louie Cole be extended for two month period. The Mayor announced that Coles' hearing before the Workmans Compensation Committee had been indefinitely postponed due to Coles physical condition. It was moved by Councilman Giger, seconded by Keil, carried unanimously approving recommendation of the personnel committee that Officer Nastasia, on leave of absence, be reinstated to active duty as of March 31.

It was reported that Daniel James, who was employed at the Cemetery, was terminated as of March 31. Public Works employees are maintaining Zion Cemetery until such time as a caretaker is employed. The Recorder presented a letter received that day from a party who had purchased a grave marker 16" high to be installed in block 'O', lot 4. The Council discussed the provision of an existing Ordinance prohibiting raised stones, but then agreed upon a variance in this case as other stones of comparable height were erected in block 'O' prior to passage of said Ordinance. Councilman Keil reported that the National Guard are continuing to have work crews at the Community Park on Saturdays, and that the Park improvement as a result is very satisfactory. A number of trees donated by Hazel Dell Nursery, and others, have been planted in the Community Park recently.

Councilman Lindsay recommended that a preliminary Budget Committee meeting be scheduled in the near future. After a period of discussion, it was agreed to schedule the meeting for 7:00 p.m., Friday, April 14, with a public notice in the Canby Herald on April 6th.

Councilman Lindsay proposed that a resolution be prepared to proclaim the City's accounting procedure to be based on the modified accrual system in the future rather than the cash system. A motion was made by Councilman Tate, seconded by Giger, passed unanimously approving the resolution. Councilman Lindsay suggested that an accounting firm be selected to assist the Recorders office in adopting the new system.

Councilman Tate proposed that the Ordinance Committee be revised to include other members of the Council. After a period of discussion the Mayor said the standing committee will remain as appointed, but Ordinance Committee meetings would include the whole Council and Utility and Planning Commission members as required. Councilman Tate reported on the evaluation of the Radio System bids; that \$2,800.00 from Public Works Dept's., and \$1,200 from the Police budget appeared to be the only funds available at present. He stated he would have a definite proposal for the next meeting. Councilman Raines reported a dangerous street intersection where a new street is being constructed off N. Ferry Road, in that an abrupt cut has been left without a barricade. Raines advised the Council that the planning commission were considering changing their meeting night to ~~Thursday~~ ^{Tuesday}, which would conflict with utility board meetings as far as his representation was concerned.

Supt. Herbison reported on a conference with Canby Telephone Association during which they agreed to construct conduit in N. Ivy Street from Virginia to Wait Avenues within 60 days. The Council thereby tentatively agreed to pave that one block of Ivy Street this year.

Tom Tye approached the Council in regard to Sewage Disposal Service for a housing development on the North side of the Willamette River, the Council proposed that a County Service District be formed for more adequate business relation with the Council.

Supt. Herbison reported applications from persons who wish to dump septic tank sludge into the City sewage disposal system. He also reported a tentative sale for old sewage plant equipment for \$1,000.00. The Council favored these two projects with details to be worked out.

The meeting was adjourned at 10:02 p.m.

Carl Braman
Mayor

4-4-72

J. Miller
Recorder