

CITY OF CANBY

REGULAR COUNCIL MEETING - December 4, 1972

Meeting was called to order by Mayor Braman at 8:01 P.M.

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

Absent - Councilman Lindsay

Other present - Attorney Bettis, Asst. Attorney Bettis, Jr., Mayor-elect Roth, Councilmen-elect Kariker and Westcott, Supt. Herbison, Police Chief Harris, Forman Atwood, Secretary Austin, CUB Mgr. Cox, employee Kylio, Attorney Dale Liberty, Clarence VanDorn and James Payton.

The roll call was followed by the traditional flag salute.

A motion was made by Councilman Keil, seconded by Giger, and carried unanimously approving the minutes of the November 20th meeting as distributed to the officials.

Ordinance No. 560 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY (Application of Basic Builders, Inc. - Part of Tract 38, CANBY GARDENS)

was read on first reading by Attorney Bettis. A motion was made by Councilman Giger, seconded by Keil and carried unanimously to approve Ordinance #560 on first reading and to post in compliance with provisions of the City Charter and to come up for final action on January 2, 1973.

Ordinance No. 561 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY (Application of Lawrence J. Housen)

was read on first reading by Attorney Bettis and a motion was made by Councilman Giger, seconded by Keil and carried unanimously to approve Ordinance #561 on first reading and to post in compliance with provisions of the City Charter and to come up for final action on January 2, 1973.

Attorney Dale Liberty representing Clarence VanDorn and James Payton presented the matter of annexation of a parcel of property north of the present Canby city limits which had been proposed previously and denied by the State Boundary Board. The matter was discussed in detail including the Attorney's doubt of the jurisdiction of the Boundary Board and the proponents offer to defray at least 60% of the City's cost of providing utilities to the proposed annexation. After a detailed discussion of the matter between the Council and the applicants, and the hearing of objections from Councilman Raines regarding recovery of costs of electrical installations, a motion was made by Councilman Giger, seconded by Wagner and carried by a unanimous vote, with one abstention, to instruct the City Attorney to proceed with the annexation procedure. The Mayor appointed a committee consisting of Supt. Herbison as chairman, with Utility Board Manager Cox and Planning Commissioner Chairman Ross to make further study of the proposal and report to the Council.

Attorney Liberty asked the Council to reconsider the matter of charges for sewer connection fees for newly constructed units to the Doric Capri apartments. The attorney stated that altho the previous owner, Edward Frye, did stand the major cost of sewer main extensions on S. E. 2nd Avenue, that the present owner, James Payton, did not expect to have the connection fee waived completely but asked that under the circumstances he be permitted to connect 6 units for a fee of \$100.00 each. After considerable discussion a motion was made by Councilman Wagner, seconded by Tate and carried by a vote of 4 to 1 that Payton be charged a fee of \$1,000.00 for connection of 6 units as a compromise and that said \$1,000.00 be paid to the City of Canby within 10 days.

Attorney Liberty represented G & T Construction Co. in a request that said G & T Construction Co. be reimbursed for a portion of the costs of extending a sewer main in Block 7 in the City of Canby. After a period of discussion a motion was made by Councilman Giger, seconded by Keil and carried unanimously that total funds of \$407.50 which the City has on hand in the non-budgeted account, which was paid to the City by other property owners in Block 7 for said sewer extension construction, be paid to the G & T Construction Co. and without liability on the part of the City for the balance of the sewer main cost of said construction project.

Mayor Braman expressed the wish to appoint Robert Shaw to fill a vacancy on the Planning Commission which would terminate in August, 1974. A motion was made by Councilman Giger, seconded by Wagner to approve the Mayor's appointment. The motion was lost by a vote of 2-3 and the appointment thereby denied.

A motion was made by Councilman Raines, seconded by Wagner and carried unanimously to authorize the Supt. of Public Works to purchase IREN-SHORE materials at an estimated cost of \$1,200.00.

Supt. Herbison advised the Council that information had been received from the Federal Grants Administration that the sewer treatment plant grant could be increased to 75% if the application were completed immediately. After a period of discussion a motion was made by Councilman Giger, seconded by Keil and carried unanimously that the application for grant No. 410322 be approved and completed immediately.

Attorney Bettis reiterated his information by letter to members of the Council that the survey made by Zarosinski-Tatone did not legally or adequately establish the alignment of Territorial Road and advised that the City not pay any portion of the cost until the matter is cleared up. The Council discussed the matter and agreed that it should be referred back to Tatone and the County for clarification.

Supt. of Public Works reported having received three bids for the Cities' Petroleum requirements for the coming year. The Council reviewed the bids and discussed the Cities' requirements for higher test gasoline, which was not included in the call for bids. A motion was then made by Councilman Giger, seconded by Keil and carried unanimously to reject all bids and call for more bids to include high test gasoline. The Council discussed the installation of an additional pump and tank at the City Shop to dispense the high test product.

A proposed Ordinance draft for the purpose of naming and redesignating city streets and repealing Ordinance #504 was introduced and copies distributed to the officials for study.

A notice of a hearing before the Public Utilities Commission regarding cable television regulations was read and discussed.

A motion was made by Councilman Giger, seconded by Tate and carried unanimously by roll call vote to approve the claims against the City, including a \$550.00 Municipal Court claim submitted by Attorney Bettis, and that warrants be drawn on the treasurer in payment thereof.

A request for a donation from the Federal Revenue Sharing Fund by the Valley Migrant League was read and discussed.

Announcement was made that the Albert F. Knight plot in the Pioneer Cemetery had been improved thru a trust fund left by the Knight estate and that the remainder of the fund in the amount of \$431.80 had been delivered to the City of Canby for Park maintenance purposes.

A motion was made by Councilman Giger, seconded by Keil and carried unanimously approving the proposal of the personnel committee that Richard G. Ray be employed as Cemetery caretaker effective December 5, 1972, at an hourly rate of \$3.23 for six months and \$3.31 per hour thereafter, if satisfactory.

Councilman Wagner reported that Fire Department Secretary, Sandra Whitaker, had asked for vacation time from December 22 thru the 28th and that Acting Chief Christiansen was planning on taking some vacation time during the same period. The Council discussed the matter and recorded no objections as long as adequate arrangements were made for coverage.

A motion was made by Councilman Wagner, seconded by Keil and carried unanimously that the additional insurance for Firemen carried by the Read-Bentz Insurance Co. be renewed for another year at a cost of \$490.00. Councilman Wagner reported that the paid employee in the Fire Dept., whose hourly rate had recently been reduced to \$2.75 per hour by the Council, had requested that the Council reconsider at \$4.31 per hour. The Mayor referred the matter to the Personnel Committee.

Supt. Herbison advised the Council that Mike Roberts' wife had a baby girl on November 30, 1972.

Mayor Eramen told the Council that Municipal Judge Thomas J. Maloney had requested a replacement so that he might terminate his service by January 1, 1973. No action was taken.

Mayor-elect Roth asked for a meeting of newly elected and existing Council members in the very near future. It was agreed to meet at the Cottage Cafe at 6:00 P.M. on Tuesday, December 12th if a reservation could be arranged.

The meeting was adjourned at 11:18 P.M.

Carl Eramen

Richardson
RECORDED

December 4, 1972