

REGULAR MEETING OF CANBY CITY COUNCIL

August 7, 1972

Meeting was called to order by Mayor Braman at 8:00 P.M. followed by the traditional Flag Salute.

Roll Call: Present - Mayor Braman, Councilmen Giger, Keil, Lindsay, Raines, and Tate. Wagner present at 8:23 P.M. None absent.

Others present - Supt. Herbison, Attorney Bettis, Fire Chief Rodewald and Foreman Atwood.

A motion by Councilman Giger, seconded by Keil, carried unanimously that the minutes of meetings of July 13th and 31st be approved as distributed to officials.

Ordinance No. 556 - An Ordinance creating planning control areas for the City of Canby; was read on final reading by title only by Attorney Bettis.

A motion by Councilman Giger, seconded by Keil, carried unanimously by roll call vote that Ordinance No. 556 be adopted and become a part of the laws of the City of Canby.

Ordinance No. 558:

"AN ORDINANCE TO PROVIDE ZONING REGULATIONS: REPEALING ORDINANCE NO. 452 AND 519; RATIFYING AND CONFIRMING PRIOR AMENDMENTS TO THE CITY'S ZONING MAP AND ORDINANCE NO. 517 RELATING TO PLANNED UNIT DEVELOPMENT PROCEDURES: AND PROVIDING AN EFFECTIVE DATE."

was read on final reading by title only by the City Attorney Bettis.

A motion by Councilman Giger, seconded by Keil, carried unanimously by roll call vote the Ordinance No. 558 be adopted and become a part of the laws of the City of Canby.

A motion by Councilman Giger, seconded by Keil, carried unanimously that the City pay the family premium for P.A.C.C. Insurance coverage for employee's families, effective July 1, 1972.

A petition was introduced by Sam Reusser requesting that the City abate a Public Nuisance allegedly existing at 614 N.W. 2nd Ave. and consisting of loud and unnecessary voice and vehicle noises at all times of the night. Supt. Herbison read aloud the Ordinance pertaining to such matters.

A motion by Councilman Giger, seconded by Keil, carried unanimously to accept the petition and instruct the Supt. to make an investigation of the alleged conditions and prepare a report for the Council.

Petitions were presented for the improvement of Boe and Kylo Avenues and recommendations were received from property owners present. After discussion, a motion by Councilman Raines, seconded by Giger, carried unanimously that the City prepare the street base and contract Clackamas Co. for the surface paving on Boe Ave. and to receipt

the costs thereof upon payment by property owners after billing. A motion by Councilman Raines, seconded by Giger, carried unanimously for the City to prepare the base and grade for Kylo Ave. and to pave that street after all curbs are installed and each property owners allotted share has been paid to the City.

The council discussed the pending suit of Holzwarth versus Officer Giger and the City for an alleged shooting accident in the basement of City Hall in June, 1971. Attorney Bettis advised the Council of the procedure up to date and thought that Safeco Insurance had agreed to represent the City of Canby, but Police Officers were not covered by the liability policy in effect at that time.

Mayor Braman reported to the Council that the involvement concerning easements over Canby Industrial Park property was based on miscommunications, that an informal meeting had been arranged for a meeting of minds.

Letters from Drs. and Hospital Authorities were read before the Council in which it was revealed that Louie Cole would be able to return to work on a limited basis in the not too distant future. (Able to do routine work within 6 months.) After discussion a motion by Councilman Giger, seconded by Lindsay, carried unanimously extending Cole's leave of absence to December 9, 1972.

James E. Allen, doing business as "Pizza Jim's" appeared before the Council requesting recommendation by that body for a Class A Restaurant Beverage License for the building on N.W. 1st Ave. formerly occupied by Canby Plumbing and Heating Co. After discussion a motion by Councilman Keil, seconded by Lindsay, carried unanimously recommended approval of the application to the Oregon Liquor Control Comm.

Fairboard Chairman Elkins approached the Council and introduced Fair Board Officials Henerson, Blaine, Cannon and Marlett and requested that the City permit booths for the selling of Parking tickets to be located on the edge of N.E. 3rd Ave. and/or Fairgrounds Dr. After a detailed discussion the Council referred the matter to the Fire Chief, Police Chief and Supt. of Public Works to work out details with the Fairboard. During the discussion it was revealed that a fire hydrant near the horse barns on the fairgrounds had been removed some 1½ months ago by parties unknown. A motion by Councilman Tate, seconded by Raines, carried unanimously that if the Utility Board didn't indicate intents of replacing the fire hydrant before August 15th, that the Supt. of Public Works install the fire plug and bill the Utility Board for the costs thereof.

Information by letter was discussed that CRAG had received a Federal Grant to impliment the Oregon Law Enforcement Council and were requesting co-operation of all law enforcement agencys. The Council instructed the Recorder to notify CRAG authorities that the City of Canby will be willing to co-operate in the matter.

Change Ordinance No. 5 of the Sewer Disposal Contract was described by Supt. Herbison as finish work and clean up of the grounds amounting to \$750.50. A motion by Councilman Giger, seconded by Keil, carried unanimously to change Ordinance No. 5.

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A letter from Clackamas Co. regarding the development of a Sewer Service District was read, but no action taken. Mayor Braman requested that copies of the letter be prepared for all councilmen.

Supt. Herbison was granted permission to include the cost of an irrigation sprinkler system at the Sewer Disposal Plant, as a part of the Federal Grant. The Supt. reported the CRAG had conducted an emergency hearing on July 21st and had thereby approved a \$20,000.00 Federal Grant for improvement of Canby Community Park and had referred the matter to the State Highway Commission for final dispensation.

Supt. Herbison requested an approved procedure for inventory and transfer of certain real and physical property from the City to the Utility Board. Attorney Bettis advised that all real property remain in the name of the City, but that physical equipment be inventoried and transferred by license permits or receipts as appropriate.

The council granted permission to the Recorder to advise the City Treasurer to transfer the "User's Utility Deposit Fund" in the amount of \$17,475.92 to the Canby Utility Board and record receipt for the same.

A motion was made by Councilman Giger, seconded by Keil and carried unanimously by roll call vote to approve the claims against the City for prompt payment and warrants be drawn on the treasurer in payment thereof.

David Moreland approached the Council with questions regarding the conduct of City Police in regard to the use of motor vehicles, duty rosters, ect. The Council members answered his questions to apparent satisfaction.

Councilman Giger announced a Personnel Committee Meeting to be held August 8 (Tuesday) 7:30 P.M.

Supt. Herbison announced plans for a City Employees picnic the 10th of August, 5:30 P.M.

Mayor Braman reminded the Council members of the scheduled nominating caucus for Thursday the 10th of August at 8:00 P.M.

Meeting adjourned at 10:35 P.M.

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Mayor

August 7, 1972

*Richard*  
Recorder