

REGULAR MEETING OF
Canby City Council - January 3, 1967 CORRECTED COPY (-)

The meeting was called to order by Mayor Stefani at 8 p.m.

Roll Call: Present - Mayor Stefani and Councilmen Braman, Giger, Guild, Housen, Read and Stevens. Absent - None.

Others Present - Supt. Cox, Asst Bentz, Attorney Bettis, Fire Chief Christiansen, Treasurer Evans and Councilmen elect Dinteman and Tatone.

Minutes of the meeting of December 19th was read and approved.

Upon declaration from Mayor Stefani that the time had arrive, oath of office was administrated to Treasurer Don T. Evans, Councilmen Werner Dinteman, William T. Stevens and John P. Tatone and they were then officially seated and thereby retiring Councilmen Giger and Read.

Resignation of Councilman Guild was then read by the Mayor and a motion was made by Councilman Braman, seconded by Housen and carried unanimously that the resignation be accepted. Then, upon instruction of the Mayor, the oath of office was administered to Mayor Arthur K. Guild. Stefani spoke of the accomplishments of the City during his four year administration and thanked the Councilmen and other officials for the interest and cooperation exercised during that time. He then presented the gavel to Mayor Guild and was immediately presented with a framed certificate of appreciation by Council President Housen.

Mayor Guild called upon the Rev. Jed Minton to give the invocation and then declared that a vacancy existed on the council and entertained nominations to fill the position. Councilman Tatone nominated Curtis Johnson and Councilman Stevens nominated Howard Giger. There being no further nominations in evidence, the Mayor declared the nominations closed. Councilman (Tatone) then called for a polled vote. Upon clarification from the City Attorney regarding a polled vote, the Mayor directed the Recorder to call the roll on each of the two nominees. The Recorder advised the Mayor that at least two of the seated Councilmen had not yet answered roll call and questioned their right to vote. The Mayor then instructed the Recorder to call the roll, which resulted in the following: Present - Mayor Guild and Councilmen Braman, Dinteman, Housen, Stevens and Tatone. Then the roll was called on the question before the house resulting (thus: Dinteman & Tatone voted for Johnson; Housen, Stevens & Braman voted for Giger.) Then Mayor Guild declared Giger duly appointed to fill the vacancy and directed that oath of office be administered to him and that he be seated.

The Mayor declared the next order of business to elect a President of the Council. Councilman Dinteman nominated Councilman Braman and Councilman Giger nominated Councilman Housen. The Mayor directed the Attorney and Recorder to conduct a vote by secret ballot which resulted in 4 votes for Housen and 2 for Braman, and the Mayor declared Councilman Housen duly elected as Council President.

Mayor Guild then announced the following appointments of Commissioners and committees:

Police Commissioner - Guild; Sewer Commissioner - Braman; Fire, Library and Public Property Commissioner - Housen; Water Commissioner - Tatone; Light Commissioner and Audit committee - Dinteman; Street Commissioner - Stevens; Park and Cemetery Commissioner - Giger; Representative to Columbia Region Assn of Governments - Stevens and a Salary Committee of Stevens and Giger to replace the former Wage and Hour Committee. The Mayor stated that Council administrative meetings would be held on the fourth Wednesday of each month at 8 p.m.

The new Mayor then read a nine point program which he proposed to pursue during his administration. A copy of the proposal is hereby attached to the file copy of these minutes and thereby becomes a part thereof.

Ordinance No. 501, AN ORDINANCE PERTAINING TO THE HOUSE AND STREET NUMBERING SYSTEM IN CANBY, was read on final reading by the City Attorney. A motion was made by Councilman Giger, seconded by Dinteman and carried unanimously by roll call vote that Ordinance No. 501 be adopted and become a part of the laws of Canby.

The Council discussed the plans for redecorating the city hall and instructed the Recorder to invite bid quotations for lowering the ceilings in the two offices and the front hall. A motion authorizing the invitation for bids was made by Councilman Housen, seconded by Giger and carried unanimously.

The monthly and annual report was given by the Fire Chief. Councilman Stevens and Supt. Cox reported on a discussion with the State Highway Department officials regarding the request from Sherman Zweigart that the ramp from Ivy Street to S. W. 7th Ave be improved and that some safety measures be established at the intersection of Ivy Street and U. S. 99E. The report was that the Highway Department would do nothing to set precedent and would not do anything before April. Supt. Cox said he would be permitted to mark and sign the bus stop area on Ivy Street.

A motion was made by Councilman Giger, seconded by Stevens and carried unanimously that it be recommended to the Oregon Liquor Control Commission that the Class B package license of Canby Big Store be renewed.

A motion was made by Councilman Giger, seconded by Braman and carried unanimously that the balance of all current utility deposits be transferred from the Water Department to the Utility Deposit Savings Account.

The Council was advised by the Recorder that the Canby Union Bank would require that new signature cards for all city accounts be filed by the Mayor, Council President, Treasurer and Recorder.

A motion was made by Councilman Giger, seconded by Stevens 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.

A letter from Cornell, Howland, Hayes and Merryfield, was read, which advised of proposed legislation in regard to the City and State participating with the Federal government in a water pollution control program.

Attorney Bettis advised the Council on the construction of an agreement form to be used in connection with non-budgeted street improvement programs. He was advised by the Council to draw up a sample agreement form.

Supt. Cox reported that the Berg Avenue water line was completed with ¹⁴200 feet of Highway 99E and work was now being done from the water storage site toward the railroad. He announced that he was in possession of a permit to bore under the highway and should have the permit to bore under the railroad soon.

The Council discussed the sidewalk alignment on Ferry Road and the securing of title to certain property within existing street rights-of-way but took no action.

Supt. Cox read a letter from General Insurance Company and discussed his position and that of the Insurance carrier, in regard to the pending court case of Erb vs. Cox. Attorney Bettis stated that no insurance Company, to his knowledge, included coverage for punitive or exemplary damages in liability policies. Supt. Cox stated that he had information that the City of Portland had absolute coverage in their insurance.

Applications for policeman were discussed by the Council. Councilman Housen stated that former officer Harold Harding had asked to be reconsidered for the position. Mayor Guild set a meeting time for further reviewing of applications for 12 noon, Friday January 6th at the Bus Depot Cafe.

The Mayor declared the meeting adjourned at 10:45 p.m.


Mayor
Recorder

IT IS WITH A SENSE OF HUMILITY AND A SINCERE DESIRE TO SERVE THIS COMMUNITY THAT I ASSUME THE OBLIGATION AND DUTIES OF THE OFFICE OF MAYOR. I DO NOT EXPECT THE COUNCIL MEMBERS TO BE IN CONSTANT AGREEMENT AMONG THEMSELVES, NOR DO I EXPECT THEM TO ALWAYS BE IN AGREEMENT WITH ME. CONTROVERSY IN PUBLIC OFFICE CANNOT BE AVOIDED IF PROGRESS IS TO BE MADE. THE BEST WAY TO AVOID CONTROVERSY IS TO SAY NOTHING, DO NOTHING--AND BE NOTHING. THE SAFEST COURSE POLITICALLY MAY NOT BE THE WISEST COURSE FOR THE PUBLIC. WITH THIS THOUGHT IN MIND, I WISH TO PRESENT THE FOLLOWING PROGRAM TO THE COUNCIL AS A COURSE OF ACTION FOR THE NEXT TWO YEARS. THESE PROJECTS ARE OFFERED IN THE ORDER OF THEIR PRIORITY AS THEY AFFECT THE ECONOMIC STATUS OF THE CITY, THE HEALTH AND SAFETY OF OUR CITIZENS, AND THE ESTHETIC PROFILE OF OUR COMMUNITY.

(1). TOP PRIORITY SHOULD BE GIVEN TO INSURING AN ADEQUATE SUPPLY OF WATER, NOT JUST FOR THE PRESENT, BUT FOR YEARS TO COME. WATER IS A COMMODITY WHICH WE SELL TO OUR CUSTOMERS. A GROCERY STORE WITH EMPTY SHELVES WOULD AVAIL THE OWNER SMALL PROFIT. IN LIKE MANNER, ALTERNATE WATERING DAYS DURING THE PEAK CONSUMER MONTHS OF THE SUMMER DENIES THE CITY NEEDED REVENUE.

THE MOLALLA RIVER FLOWS WITHIN OUR CITY LIMITS, AND THE WILLAMETTE RIVER IS A STONE'S THROW AWAY. WITH THIS MUCH WATER AT OUR DOORSTEP, IT WOULD SEEM THAT WE COULD PROVIDE THIS COMMODITY IN ABUNDANCE. I PROPOSE TO THE COUNCIL THAT A THOROUGH ENGINEERING FEASABILITY STUDY BE MADE AS TO OUR FUTURE NEEDS, KEEPING IN MIND THE MOLALLA AND PUDDING IMPOUNDMENT SURVEYS.

ONCE THE FEASABILITY STUDY HAS BEEN COMPLETED, I WOULD SUGGEST THAT REVENUE BONDS WITH MATCHING GOVERNMENT FUNDS BE USED AS A METHOD OF FINANCING THE PROJECT. THE SALE OF THE

REVENUE BONDS MUST BE BASED ON A SOUND PROJECTION OF FUTURE WATER RECEIPTS. PRESENT WATER RATES ARE ADEQUATE; ALL WE NEED IS THE VOLUME AND THE SYSTEM TO DELIVER IT.

FAILURE TO FACE THIS ISSUE IS IN EFFECT SWEEPING IT UNDER THE RUG AND MERELY PASSING ON TO SOME FUTURE COUNCIL A MORE SERIOUS PROBLEM.

- (2) THE SECOND MOST IMPORTANT PROJECT SHOULD BE THE EXPANSION OF THE PRESENT SEWER TREATMENT PLANT TO MEET THE REQUIREMENTS OF STATE SANITARY REGULATIONS AND THE NEEDS OF OUR GROWING COMMUNITY. CURRENT STUDIES OF THE SEWER DEPARTMENT INDICATE THAT CANBY'S RATES ARE INADEQUATE TO MEET EXPANSION NEEDS AND CONSIDERABLY LOWER THAN SURROUNDING COMMUNITIES OF SIMILAR SIZE. WITH SOME ADJUSTMENTS IN CONSUMER RATES, IT SHOULD BE POSSIBLE DURING THE NEXT FOUR-YEAR PERIOD, BY PROGRESSIVE STEPS, TO BRING THIS DEPARTMENT UP TO STATE STANDARDS RELATING TO POLLUTION OF THE WILLAMETTE FROM THE CITY OF CANBY.

- (3) THE THIRD ITEM WHICH SHOULD RECEIVE THE ATTENTION OF THE COUNCIL IS AN UP-TO-DATE SURVEY OF EXPANSION NEEDS OF THE MUNICIPAL ELECTRIC SYSTEM.

THESE THREE UTILITIES MENTIONED ABOVE ARE A SOURCE OF REVENUE TO THE CITY AND MUST BE MAINTAINED AND OPERATED TO THE BEST OF OUR ABILITY, OFFERING GOOD SERVICE TO OUR CUSTOMERS, A FAIR RETURN TO THE CITY TO MEET THE CONTINGENCIES OF CONTINUED GROWTH, AND AT THE SAME TIME BUILD ADEQUATE CAPITAL RESERVES.

- (4) THE FOURTH ITEM WHICH IS TO BE RECOMMENDED TO THE COUNCIL IS A THOROUGH STUDY OF THE PRACTICABILITY OF UTILIZING WAIT PARK AS A SITE FOR AN OUTDOOR HEATED SWIMMING POOL. I WISH TO VERY CAREFULLY OUTLINE THIS PROPOSAL SO THAT THERE CAN BE NO MISCONSTRUCTION OF WHAT IS SAID HERE THIS EVENING.

THE EXISTING AMERICAN LEGION PROPERTY SHOULD BE INCORPORATED IN WAIT PARK. THE PRESENT BUILDING CAN BE INEXPENSIVELY REMODELED AND UTILIZED AS DRESSING ROOMS AND STORAGE SPACE. ELECTRICITY AND WATER ARE AVAILABLE. A SEWER TRUNK EXTENDS THROUGH THE PARK, AND A STORM SEWER IS ADJACENT ON

THIRD STREET. THERE IS ADEQUATE PARKING AREA, AND NATURAL GAS FOR HEATING IS JUST ACROSS THE STREET. IN ORDER TO CAPITALIZE THE SWIMMING POOL, I SUGGEST THAT THE CITY COUNCIL BECOME THE LEAD HORSE AND PROPOSE AN 8 MIL ONE YEAR LEVY TO THE ESISTING RECREATION DISTRICT, WHICH AT THE CURRENT ASSESSED VAULATION WILL PRODUCE APPROXIMATELY \$90,000. THIS ENTIRE PROGRAM IS BASED ON THE PREMISE THAT ONCE THE POOL IS CONSTRUCTED, THE RECREATION DISTRICT WOULD DEED THE POOL TO THE CITY OF CANBY AND THE CITY WOULD WITHDRAW FROM THE RECREATION DISTRICT AND OPERATE THE POOL ON A PAYING BASIS.

IF THE CLIMATE CANNOT BE CREATED WHERE BY THE CITY IS WILLING TO ACCEPT AND OPERATE THE POOL, AND THE RECREATION DISTRICT IS UNWILLING TO GO ALONG WITH THE 8 MIL LEVY, I WOULD BE RELUCTANT TO SEE THE COUNCIL GET INVOLVED.

- (5) I RECOMMEND THE CREATION BY ORDINANCE OF A CITY PARK BOARK. ONE MEMBER OF THE COUNCIL TO SERVE AS CHAIRMAN AND THREE MEMBERS APPOINTED BY THE MAYOR WITH COUNCIL APPROVAL. SAID PARK BOARD WOULD OPERATE THE POOL IF IT CAME INTO EXISTENCE, AND HAVE JURISDICTION OVER CITY PARKS AND TREES IN THE PARKING STRIPS THROUGHOUT THE CITY.

- (6) ITEM NUMBER SIX TO BE RECOMMENDED IS REPEAL OF ORDINANCE #484. THIS IS THE CITY ORDINANCE AUTHORIZING BUSINESS LICENSE FEES. THE ORIGINAL INTENT OF THIS LICENSE ORDINANCE WAS TO ESTABLISH A SOURCE OF REVENUE FOR ADDITIONAL SERVICES BY THE POLICE DEPARTMENT IN CHECKING BUSINESS HOUSES FOR UNLOCKED DOORS. THIS TYPE OF ORDINANCE IN A SMALL COMMUNITY, HOWEVER, RESTRICTS COMPÉTITION AND WORKS A HARDSHIP ON THE CITIZENS BY DENYING THEM SERVICES WHICH THEY OTHERWISE WOULD BE ABLE TO OBTAIN AT COMPETITIVE PRICES.

IN A SINGLE YEAR THE 6 PER CENT INCREMENT ON THE NEW TAX BASE PLUS REVENUE FROM THE CIGARETTE TAX AND OTHER STATE SOURCES WILL MORE THAN OFF SET THE LOSS IN REPEAL OF THIS ORDINANCE.

ENFORCEMENT OF THIS ORDINANCE AND THE CARRYING OUT OF ITS PROVISIONS ALSO CREATES AN ADDED BURDEN ON THE POLICE DEPARTMENT AND EMPLOYEES AT THE CITY HALL.

- (7) ITEM NUMBER SEVEN IS REVISION OF SOME SECTIONS OF THE CITY CHARTER, PARTICULARLY THAT SECTION SETTING THE DATE FOR THE CITY CAUCUS. UNDER NEW STATE STATUTES SUFFICIENT TIME IS NOT ALLOWED TO PLACE MUNICIPAL ELECTIONS ON THE BALLOT TITLES PREPARED BY THE COUNTY.

I RECOMMEND THAT THE LATTER TWO ISSUES BE PLACED ON THE BALLOT DURING THE PRIMARY ELECTION OF 1968.

- (8) ITEM NUMBER EIGHT SHOULD BE AN UP-TO-DATE INVENTORY OF ALL CITY NON-EXPENCABLE SUPPLIES AND EQUIPMENT.

- (9) THE STREET PAVING PROGRAM SHOULD BE CONTINUED AND CORRELATED WITH THE DOOR-TO-DOOR MAIL DELIVERY OF THE CORE AREA AND EXTENDED ACCORDING TO TRAFFIC DICTATES AT THE RATE OF ABOUT \$15,000 PER YEAR.