

REGULAR MEETING OF
Canby City Council, September 16, 1963.

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

Roll Call: Present - Mayor Stefani and Councilmen Giger, Graham, Harper, Housen, Read & Stevens. Absent - None.

Others Present - Sup't Cox, Asst. Bantz, Police Chief Lindsay, Attorney Bettis and C.D. Director Langhaim.

Minutes of the meeting of September 3 was read and approved.

Mayor Stefani declared the time had arrived for a public hearing as fixed by Resolution No. XLIII dated August 5, 1963, and called for objections. There being no person present to object to withdrawing from the Canby Rural Fire protection district, that part thereof which was annexed to the City of Canby by Ordinance No. 451; A motion was made by Councilman Graham, seconded by Giger and carried unanimously that the Council does hereby determine and such determination be made a matter of record that it is in the best interest of the City of Canby that that part of the City which was annexed by Ordinance No. 451, adopted June 17, 1963, be withdrawn from the Canby Rural Fire district and that the Attorney prepare an appropriate Ordinance to implement this determination.

Mr. & Mrs. Walter Schmeiser appeared before the Council to answer the City's notification that their trailer house occupancy permit would not be renewed due to violation of the building code, the trailer ordinance and the instructions of the Council. Mr. Schmeiser asked in what way the City considered that they were in violation and stated that they had not made any further improvements on their property since they received the Council's letter dated March 6, 1962. Mayor Stefani explained that the trailer permit was only temporary and that the building permit issued to them was for a minimum amount of construction and not intended to permit the building other than an awning or porch like structure in connection with the trailer house. Copies of letters which had been mailed to the Schmeisers since May 1, 1961, were read and Mr. Schmeiser displayed a design on the cover page of a Popular Mechanics magazine similar to that shown to the Council when the building permit was first applied for. After considerable discussion, Councilman Read added Schmeiser when the siding was put on the structure and the answer was, "this summer". Mrs. Schmeiser stated that they had painted the structure of late. Mr. Schmeiser stated that jealousy and discrimination were the principals behind the Council's decision and that, "if the Council continued to hassel, we will just take it to court", and Mr. & Mrs. Schmeiser left the Council Room.

Upon the City Attorney's advise, a motion was made by Councilman Giger, seconded by Housen and carried unanimously that Walter Schmeiser be notified by letter that if they will remove all improvements constructed on and to the outside of the trailer house, except an awning or porch like structure, by October 15, 1963, the Council will reconsider their application for a temporary trailer permit renewal and that upon their failure to remove such addition by October 15, 1963, they are now notified that their application for a trailer use permit is denied and they are to vacate the trailer house no later than January 1, 1964, and that upon their failure to comply, the City Attorney will be instructed to institute an appropriate suit or action to enjoin their continued occupation of such trailer house in violation of City Ordinance.

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

A motion was made by Councilman Giger, seconded by Read and carried unanimously authorizing the transfer of \$27,000 from the Water Sinking Fund #4851 to the Water Department to cover payment of construction costs to American Pipe and Const. Co. for the water storage tank.

A motion was made by Councilman Harper, seconded by Giger and Carried unanimously to adopt Resolution No XLIV, A RESOLUTION RELATING TO A LOAN BY THE CITY LIGHT DEPARTMENT FROM THE BUILDING AND EXPANSION FUND TO THE CITY STREET DEPARTMENT, in the amount of \$10,000 to cover the cost of street paving until such time as sufficient special street tax revenue is recieved to repay the Light Department fund.

A letter from Raymond H. Langhaim in which he tendered his resignation from the position of City Civil Defense Director, was read to the Council. Langhaim stated that he had recently accepted a U.S. Civil Service appointment and that his superiors advised that a conflict of interest might jeprodize the position. A motion was made by Councilman Giger, seconded by Stevens and carried unanimously to reluctantly accept the resignation of Col. Langhaim. Mayor Stefani thanked him for the work that he had done to perfect the City Civil Defense program and asked him to assist in orienting a new director after one has been selected.

A letter from the First Christian Church, complaining about the traffic speed and noise on North Holly Street, was read and referred to the Police Chief for investigation and control.

A motion was made by Councilman Housen, seconded by Stevens and carried unan-

Council minutes of Sept. 16, continued.

Copies of the 1962-63 audit report as prepared by Jay R. Wilson were distributed and the Council instructed the Recorder to invite Mr. Wilson to appear and discuss the audit with the Council on October 21st.

A letter from the Board of Directors of School District No. 86, in which it was requested that a portion of North Elm Street that projects into the school playground be vacated, was read to the Council. A motion was made by Councilman Stevens, seconded by Harper and carried unanimously that the question of vacation of North Elm Street in the Demeritt Addition, as requested by the grade school board, be referred to the City Planning Commission for study and with a written report back, and that the City Superintendent furnish the Planning Commission with a plan and drawings of the proposed vacation.

Archie Markee appeared at the Council's invitation and initiated the discussion of the feasibility of taking the necessary steps to establish a new tax base for the City of Canby. The Council thanked Mr. Markee for his interest and the preparation he had voluntarily compiled. Councilman Housen praised Mr. Markee for his recent letter to the editor, published in the Canby Herald, to which the other Councilmen concurred.

A motion was made by Councilman Stevens, seconded by Read and carried unanimously to rescind Council action taken on September 3, 1963 with regard to discharge of Clayton Yoder as cemetery caretaker and that his employment be continued until January 1, 1964 on the probationary basis subject to rules which may be prescribed by the Wage and Hour Committee.

Sup't Cox reported invitations to bid on a new dump truck had been published in the Canby Herald, Enterprise-courier and Daily Journal of Commerce, for sealed bids to be received until 5 p.m. October 4th.

Officer Lindsay reported that he was continuing to effect a clean up program of accumulations of old cars and other debris and the trailer house which was located near the dump ground had been moved. It was reported that attempts were being made to appease the several Real Estate agents in Canby regarding business licenses and the Council agreed that William Dreher's license fee would be refunded if the other agents had not paid the license fees to the City by the time of the next regular Council meeting.

Sup't Cox reported the Beck well pump had been lifted for the installation of the chlorinator tube and should be in operation soon. In regard to the responsibility for payment of Beck Electric's bill for electrical installation in connection with the chlorinator, the Council interpreted the contract as placing the responsibility on the owner of the well and instructed the Recorder to so advise him by letter. Sup't Cox stated that he ordered the installation made by Beck Electric, but not until he had contacted well owner John W. Beck in that regard.

A motion was made by Councilman Giger, seconded by Read and carried unanimously to renew the trailer house permit of Edward E. Frye for six months.

A motion was made by Councilman Giger, seconded by Graham and carried unanimously authorizing the Recorder to purchase a used photo-copy machine from Clackamas Co. for \$100 and another motion was made by Councilman Housen, seconded by Giger and carried unanimously authorizing the purchase of a used electric typewriter from Clackamas Office Machines for \$335 less \$70 for trade-ins, and the Sup't's request to purchase a street marking machine at a cost of \$190 was referred to the Street Commissioner for his decision.

Mayor Stefani asked the Council if they were ready to take action on the increase in water rates as recommended by the Water Committee at a prior meeting. Discussion followed regarding the lack of concrete evidence that additional revenue was necessary to maintain the water department in the future. A motion was made by Councilman Giger to raise the water rates as recommended by the water committee. Mayor Stefani declared the motion dead for want of a second.

The Mayor reported on the concerted movement to convince the State Highway Department that the location of proposed Interstate Highway 205 should be considered in Clackamas County. A motion was made by Councilman Stevens, seconded by Giger and carried unanimously to adopt a resolution endorsing a proposal by the Engineering Department of the Oregon State Highway Commission to locate a section of Interstate Highway No. 205 and the new Willamette River bridge in Clackamas County.

Councilman Housen announced that the subject of retaining the City park near the Molalla River would be discussed at the Canby Chamber of Commerce meeting on October 1st and that the Council and other City Officials had been invited to attend. It was also suggested that the interested parties might bring the matter to a Council meeting.

The Council agreed that the state election set for October 15 constituted an official election day as pertaining to the City's legal holidays.

Sup't Cox's public works report included a report of the effectiveness of the

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for the current year as having been depleted, but assured Nagel that some temporary work could be done to improve the street until paving could be accomplished. Nagel congratulated the City on the street improvement program completed this year.

The meeting was adjourned at 11:48 p.m.

Lud Stepan
Mayor

J. Richardson
Recorder

Date or Motion	Mayor Sterfiant	Councilmen Giger	Graham	Harper	Housen	Read	Stevens
6-2 Bu	A	P	P	P	P	A	P
Bu		Y	Y	Y	Y		Y
CL		Y	Y	Y	Y		Y
7-1-	P	P	P	P	A	P	P
CL		Y	Y	Y		Y	Y
7-12	A	P	P	P	P	A	P
CL		Y	Y	Y	Y		Y
OR 43		Y	Y	Y	Y		Y
8-	P	P	P	P	P	P	P
CL		Y	Y	Y	Y	Y	Y
TA F		Y	Y	Y	Y	Y	Y
8-	A	P	P	P	P	P	P
8-	P	P	P	P	P	P	P
CL		Y	Y	Y	Y	Y	Y
9-	P	P	P	P	P	P	P
CL		Y	Y	Y	Y	Y	Y
9-	P	P	P	P	P	P	P
CL		Y	Y	Y	Y	Y	Y

6-27-63
BUCKET HEARING

Budget

CLAIMS

7-1-63

CLAIMS

7-15-63

CLANNAD

ORD#
452

8-5-63

CLAIMS

TATOREZ
FETZ Bill For y's

8-12-63

8-19-63

CLAIMS

9-3-63

CLEANS

9-16-63

CLAIM