

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
March 21, 2018**

**PRESIDING:** Mayor Brian Hodson.

**COUNCIL PRESENT:** Tyler Smith, Greg Parker, Traci Hensley, Tim Dale, Tracie Heidt, and Sarah Spoon.

**STAFF PRESENT:** Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; Bryan Brown, Planning Director; Julie Wehling, Transit Director; Irene Green, Library Director; and Kim Scheafer, City Recorder.

**OTHERS PRESENT:** Mike Zagya, Jerry Bagge, Pat Schauer, Harvey Brown, Jackie Jones, Gordon Christiansen, Steve Donovan, Ray Kahut, Andy Kahut, Carol Rosen, Roger Reif, Tony Crawford, Gina Taylor, Lois Brooks, Heather Hurst, Linda Warwick, Irene Breshears, Jeanne Eyman, Bill & Karyn Fenton, and Jim Boyle.

**CALL TO ORDER:** Mayor Hodson called the Regular Meeting to order at 7:30 p.m. in the Council Chambers followed by opening ceremonies.

Vietnam Veterans Day Proclamation – Mayor Hodson read a proclamation proclaiming March 29, 2018 as Vietnam Veterans Day in Canby and presented it to Jerry Bagge.

Mr. Bagge thanked the Council for the proclamation.

Presentation by Canby Disposal Regarding the 2017 Fall Cleanup Event – Steve Donovan, Donovan Enterprises, Inc., said that a year ago they informed the Council that they would be changing their 2017 Cleanup Day to have a one-day drop off at the Fairgrounds in September and a personalized pick up that could be arranged at any time. He gave a PowerPoint presentation regarding statistics for the drop off event including the number of people who participated and the number of items that were dropped off as well as the number of shredded documents. He then discussed the costs for the event. He shared what worked and what needed to be improved for 2018.

Mayor Hodson thought there had been a dramatic difference from previous years as well as a significant labor cost reduction.

Councilor Smith was in favor of the drop off day. Regarding the personalized pick-up, he knew residents that called and were told the program did not exist. He asked how widely the program was advertised.

Andy Kahut, Canby Disposal, said the program did exist and he would look into it. He could also have it advertised on their website.

Councilor Parker agreed this was an improvement and suggested the Fairgrounds help with the traffic issues.

There was discussion regarding how this program was geared for single family residents.

Library Board Presentation Regarding the Library District Advisory Committee (LDAC) – Roger Reif, Library Board Chair, gave a PowerPoint presentation introducing the Library Board members and

updating the Council on the changes occurring within the Library District, actions of the Library District Advisory Board, as well as the state of the Canby Public Library. He shared concerns of the Canby Public Library Board. He discussed the Gladstone settlement and its effects on other libraries and discussed Canby's service area. He suggested the Council request an amendment to the service area boundary between Canby and Oregon City. He then discussed the Library District funding, Library District operations, threshold for service standards and materials as required by the IGA, comparison of access and staffing to other libraries in the district, and Library District challenges. Except for the increase in personnel expenditures due to PERS, the library's materials budget had remained flat. There was no money to carry over into the next fiscal year. Staffing and hours of operation would be cut unless alternative resources became available. There were no more cash reserves. Increasing the tax rate was an option. He then reviewed the Library Board's recommendations. These included: oppose the amendment to include capital expenditures; advocate for LDAC to review the District maps; advocate for LDAC to look at the District formula; maintain current levels of service; promote the library as a community center; and review the current tax rate and request the County to bring the City up to the median.

Councilor Parker suggested holding a work session on these items for further discussion.

Mayor Hodson said there was immediacy to some of the actions.

Rick Robinson, City Administrator, said they needed to know where the population density was and the allocation methodology should be reviewed for the service area boundary between Canby and Oregon City. The budget recommendation coming from the City Administrator to the Budget Committee was to maintain current service levels for the Library in 2018/19 and that may result in a small contribution from the General Fund.

There was consensus to hold a work session on these items.

**COMMUNICATIONS:** Mr. Robinson said there was an increase in cost of handling recycled material. He would be meeting with Canby Disposal in the next few months to discuss it.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Gordon Christiansen, CTV5, said CTV5 had been doing equipment upgrades. They would be having a slide show playing and would be down on April 4 and back up on April 7. A community reader board would be displaying again. Any items the City wanted to put on the bulletin board should be emailed to [canby.tv5@gmail.com](mailto:canby.tv5@gmail.com). He thanked the Council and staff for their patience in dealing with all of the instabilities. A new arts and culture show would be starting soon.

Jackie Jones, Vice Chair of the Traffic Safety Commission, spoke about a new public service announcement that had been filmed regarding crosswalk safety. She played the video for the Council.

**MAYOR'S BUSINESS:** Mayor Hodson congratulated the Canby High School Dance Team for placing first in State for the fourth year in a row. The Hotel Study had been completed and would be discussed at a future work session. He attended a meeting with a restaurant that was interested in moving into the Dahlia Building or one close to it. The Women's Heritage Trail event would be on March 22

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Smith said the Planning Commission considered a minor land partition at their last meeting. The French Prairie Forum met today. The OSU extension was holding an open house on July 25. The Aurora Airport runway bill died

in committee. There was traction on creating a single unified lane on I-5 from Aurora to Wilsonville to alleviate traffic. Sixty percent of the traffic heading south through Wilsonville exits on either Miley Road or OR 551.

Councilor Parker invited people to come and meet former Governor Barbara Roberts. The owner of three properties on 1<sup>st</sup> Avenue would be coming to the Urban Renewal Agency with a façade improvement application.

Councilor Hensley said the Traffic Safety Commission was working on four way stop recommendations. She thanked Barbara Rogers and Dick Templeman for serving on the Commission. She was on a suicide prevention task force that had started in Canby. She also thanked the Clackamas County Sheriff's Office for putting on a mental health first aid class.

Councilor Dale said Canby Utility did their quarterly financial report. Their water revenues were in the black. Overall financials were better than expected. A water main was being replaced on NE 9<sup>th</sup> Avenue. State law required that owners with irrigation systems needed to have their backflow devices tested. Canby Utility was looking at moving into their new facility at the end of summer. HB 4001, the cap and trade bill, died in the short session. Appointments to Canby Utility and the City Budget Committee would be on the next agenda. The Budget Committee orientation meeting would be held on April 12.

Councilor Heidt said the Canby Reads initiative group was partnering with the library to improve literacy. For 2<sup>nd</sup> graders who read the required ten books, they would be getting a tour of the library in May. Rotary was interested in helping fund the teen room. She welcomed the new Parks and Recreation Advisory Board members.

Councilor Spoon said the community bike rides that were put on by Bikes N More were starting back up for the season.

**CONSENT AGENDA: \*\*Councilor Dale moved to adopt the minutes of the March 3, 2018 City Council Work Session; minutes of the March 7, 2018 City Council Regular Meeting; appointment of Judy Zettergren to the Parks and Recreation Advisory Board for a term to expire on June 30, 2021; appointment of Scott Sasse to the Parks and Recreation Advisory Board for a term to expire on June 30, 2019; appointments of Andrew Crites and Jeffrey Carr to the Parks and Recreation Advisory Board for terms to expire on June 30, 2021; appointment of Corey Boehler to the Traffic Safety Commission for a term to expire on June 30, 2021; and appointment of Andrea Warnock to the Traffic Safety Commission for a term to expire on June 30, 2019. Motion was seconded by Councilor Hensley and passed 6-0.**

**RESOLUTIONS & ORDINANCES:** Resolution 1283 – Julie Wehling, Transit Director, said the City of Wilsonville would be increasing service hours to Canby. She explained how this would meet both Canby's and Wilsonville's Transit Master Plan goals. The small transit systems had been meeting to discuss the new funding through HB 2017 and how to better coordinate. She thought this service would be able to continue through that funding.

**\*\*Councilor Heidt moved to adopt Resolution 1283, A RESOLUTION AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE CITY OF WILSONVILLE, OREGON FOR PROVIDING MIDDAY TRANSIT SERVICE BETWEEN CANBY AND WILSONVILLE. Motion was seconded by Councilor Spoon and passed 6-0.**

Ordinance 1471 – **\*\*Councilor Parker moved to adopt Ordinance 1471, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE CHAPTER 2.56.030 AND 2.56.050 BY CHANGING THE MEMBERSHIP AMOUNT FROM SEVEN TO NINE MEMBERS FOR THE PARKS AND RECREATION ADVISORY BOARD. Motion was seconded by Councilor Heidt and passed 6-0 by roll call vote.**

Ordinance 1472 – **\*\*Councilor Hensley moved to adopt Ordinance 1472, AN ORDINANCE, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 31 ACRES INCLUDING 29.24 ACRES OF REAL PROPERTY DESCRIBED AS TAX LOTS 1700 AND 2000 OF PORTION OF SW ¼, SE ¼, SEC. 4, T.4S., R.1E., W.M. (TAX MAP 41E04D); AND APPROX. 1.76 ACRES OF ADJACENT S. IVY STREET RIGHT-OF-WAY AND AMENDING THE EXISTING COUNTY ZONING FROM EXCLUSIVE FARM USE (EFU) TO CITY LOW DENSITY RESIDENTIAL (R-1) FOR TAX LOT 2000 OF TAX MAP 41E04D; TO CITY MEDIUM DENSITY RESIDENTIAL (R 1.5) FOR APPROXIMATE SOUTHERN HALF AND TO CITY HIGH DENSITY RESIDENTIAL (R-2) FOR APPROXIMATE NORTHERN HALF OF TAX LOT 1700 OF TAX MAP 41E04D; AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CANBY CITY LIMITS. Motion was seconded by Councilor Spoon and passed 6-0 by roll call vote.**

Ordinance 1473 – **\*\*Councilor Heidt moved to adopt Ordinance 1473, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO ITS CONTRACT WITH MV TRANSPORTATION, INC OF DALLAS, TEXAS FOR PROVIDING TRANSIT OPERATIONS FOR CANBY AREA TRANSIT (CAT). Motion was seconded by Councilor Spoon and passed 6-0 by roll call vote.**

Ordinance 1474 – There was discussion regarding how the time change would affect work sessions, and how work sessions could be scheduled as extra meetings in the month instead.

**\*\*Councilor Hensley moved to approve Ordinance 1474, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 2.04.010 REGARDING COUNCIL REGULAR MEETINGS BYCHANGING THE STARTING TIME OF REGULAR MEETINGS TO 7:00 PM WITH AN EFFECTIVE DATE OF JULY 5, 2018 to come up for second reading on April 4, 2018. Motion was seconded by Councilor Smith and passed 6-0 on first reading.**

**NEW BUSINESS:** Findings, Conclusion & Final Order ANN 17-01/ZC 17-04 Mayberry Group, Inc. – Joseph Lindsay, City Attorney, said these were the findings for Ordinance 1472 that had just been passed.

**\*\*Councilor Dale moved to adopt the Findings, Conclusion & Final Order ANN 17-01/ZC 17-04 Mayberry Group, Inc. Motion was seconded by Councilor Hensley and passed 6-0.**

Interlocutory Order APP 17-03 – Mr. Lindsay said the applicant was asking for modifications to be made to the application. The procedure to do that would be to send it back to the Planning Commission. The Council had decided to send it back on remand. The proposed order recognized there was an application and an appeal to that application and in lieu of finalizing the application and appeal, the order allowed the Council to send it back and the modifications to be reviewed by the Planning Commission. The appellant still had the right to modify the appeal if there were issues with the revised application. The Planning Commission would be made aware of the five appeal issues and the

application would go back to the Commission at their April 23 meeting. The five appeal issues were: density transfer for park land donation that used unbuildable lands in the calculation, the size of the lots, temporary turn arounds, excessive park land dedication and SDC credits, and proposed street locations. His recommendation was to adopt the order.

**\*\*Councilor Hensley moved to adopt the Interlocutory Order APP 17-03. Motion was seconded by Councilor Parker.**

Councilor Smith thought they were making an interpretation of Code Chapter 16.89.090 that intermediate modifications did not require a final decision. He thought it should be noted so they would be consistent in the future and the Code could be changed to reflect that.

**Motion passed 6-0.**

**ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Mr. Robinson said the City's Comprehensive Annual Financial Report, CAFR, for Fiscal Year 2017 had qualified for the Government Finance Officer Association's Certificate of Achievement for excellence in financial reporting.

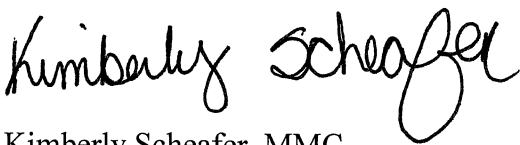
**CITIZEN INPUT:** None.

**ACTION REVIEW:**

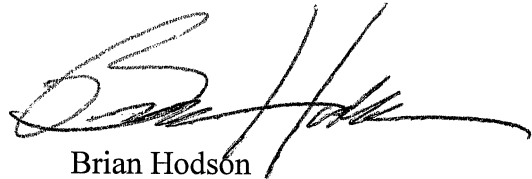
1. Approved the Consent Agenda.
2. Adopted Resolution 1283.
3. Adopted Ordinance 1471.
4. Adopted Ordinance 1472.
5. Adopted Ordinance 1473.
6. Approved Ordinance 1474 to come up for second reading on April 4, 2018.
7. Adopted the Findings, Conclusion & Final Order ANN 17-01/ZC 17-04.
8. Adopted the Interlocutory Order APP 17-03.

There was no Executive Session.

Mayor Hodson adjourned the Regular Meeting at 9:40 p.m.



Kimberly Scheafer, MMC  
City Recorder



Brian Hodson  
Mayor

Assisted with Preparation of Minutes - Susan Wood