



## AGENDA

### CANBY CITY COUNCIL MEETING

March 1, 2017

7:30 PM

Council Chambers

222 NE 2<sup>nd</sup> Avenue, 1<sup>st</sup> Floor

*Mayor Brian Hodson*

*Council President Tim Dale*

*Councilor Tracie Heidt*

*Councilor Traci Hensley*

*Councilor Greg Parker*

*Councilor Tyler Smith*

*Councilor Sarah Spoon*

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### WORK SESSION - 6:30 PM

Willow Creek Conference Room

222 NE 2<sup>nd</sup> Avenue, 1<sup>st</sup> Floor

The City Council will be meeting in a Work Session to discuss labor negotiations in the public sector with a representative from LGPI.

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### CITY COUNCIL MEETING – 7:30 PM

#### 1. CALL TO ORDER

- A. Invocation
- B. Pledge of Allegiance
- C. March for Meals Month Proclamation

Pg. 1

#### 2. COMMUNICATIONS

#### 3. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

*(This is an opportunity for audience members to address the City Council on items not on the agenda. Each person will be given 3 minutes to speak. You are first required to fill out a testimony/comment card prior to speaking and hand it to the City Recorder. These forms are available by the sign-in podium. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. For Agenda items, please fill out a testimony/comment card and give to the City Recorder noting which item you wish to speak on.)*

#### 4. MAYOR'S BUSINESS

#### 5. COUNCILOR COMMENTS & LIAISON REPORTS

#### 6. CONSENT AGENDA

*(This section allows the City Council to consider routine items that require no discussion and can be approved in one comprehensive motion. An item may be discussed if it is pulled from the consent agenda to New Business.)*

- A. Approval of Minutes of the February 1, 2017 City Council Work Session & Regular Meeting
- B. Annual Liquor License Renewals Pg. 2
- C. Reappointments to the Transit Advisory Committee Pg. 6
- D. Reappointment to the Canby Public Library Board Pg. 8
- E. Reappointments to the Traffic Safety Commission Pg. 9

**7. RESOLUTIONS & ORDINANCES**

- A. Res. 1259, Adopting a Supplemental Budget for the 2016-2017 FY Pg. 12
- B. Ord. 1457, Amending the Zoning Map of the City of Canby, Clackamas County  
Oregon for Tax Lot 2900 of Tax Map 3-1E-27AC (**2<sup>nd</sup> Reading**) Pg. 15
- C. Ord. 1458, Authorizing a Contract with Heard Farms for Wastewater Sewage Sludge  
Removal Pg. 17

**8. NEW BUSINESS**

**9. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS**

**10. CITIZEN INPUT**

**11. ACTION REVIEW**

**12. EXECUTIVE SESSION: ORS 192.660(2)(h) Litigation**

**13. ADJOURN**

\*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Scheafer at 503.266.0733. A copy of this Agenda can be found on the City's web page at [www.canbyoregon.gov](http://www.canbyoregon.gov). City Council and Planning Commission Meetings are broadcast live and can be viewed on CTV Channel 5. For a schedule of the playback times, please call 503.263.6287.



Office of the Mayor

# Proclamation

## March for Meals Month

**WHEREAS**, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and

**WHEREAS**, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and

**WHEREAS**, the 2017 observance of March for Meals provides an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation; and

**WHEREAS**, Meals on Wheels programs – both congregate and home-delivered, in Canby have served our communities admirably for more than 40 years; and

**WHEREAS**, volunteers for Meals on Wheels programs in Canby are the backbone of the program and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also caring concern and attention to their welfare; and

**WHEREAS**, Meals on Wheels programs in Canby provide nutritious meals to seniors throughout the Canby that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and

**WHEREAS**, Meals on Wheels programs in Canby provide a powerful socialization opportunity for millions of seniors to help combat loneliness and isolation; and

**WHEREAS**, Meals on Wheels programs in Canby deserve recognition for the contributions they have made and will continue to make to local communities, our State and our Nation.

**NOW, THEREFORE**, I Brian Hodson, as Mayor of the City of Canby do hereby proclaim March 2017 as March for Meals Month and urge every citizen to take this month to honor our Meals on Wheels programs, the seniors they serve and the volunteers who care for them. Our recognition of, and involvement in, the national 2017 March for Meals can enrich our entire community and help combat senior hunger and isolation in America.

Given unto my hand this 1st day of March 2017.


Brian Hodson  
Mayor

City Council Packet Page 10 of 24



# Memo

To: Mayor Brian Hodson & Members of City Council  
From: Bret J. Smith, Chief of Police  
CC: Kim Scheafer, General Administration  
Date: January 24, 2017  
Re: Annual Liquor License Renewals



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I have reviewed the OLCC list of businesses located within the City of Canby that are eligible for liquor license renewal. Please see the attached list of businesses that have been identified by OLCC.

I recommend the Canby City Council approve these requests for renewal to the Oregon Liquor Control Commission (OLCC).

License No./ Premises No.		Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic.	232340	<b>76 FOOD MART OF CANBY</b>	453 SE 1ST ST	
Prem.	46053	VIRK PETROLEUM LLC O - OFF-PREMISES SALES	CANBY, OR 97013 503-266-4731	
Lic.	235472	<b>7-ELEVEN STORE #2363-17845C</b>	109 SE 1ST	PO BOX 219088
Prem.	2577	JOLENE BAIRD O - OFF-PREMISES SALES	CANBY, OR 97013 503-266-5111	DALLAS, TX 75221
Lic.	232547	<b>AMERICAN LEGION POST #122 CANBY</b>	424 NW 1ST	PO BOX 121
Prem.	2135	AMERICAN LEGION #122 CANBY F-CLU - FULL ON-PREMISES SALES	CANBY, OR 97013 503-266-9235	CANBY, OR 97013
Lic.	232709	<b>BACKSTOP BAR &amp; GRILL</b>	211 N GRANT	
Prem.	38418	BACKSTOP INC F-COM - FULL ON-PREMISES SALES	CANBY, OR 97013 503-263-6606	
Lic.	234863	<b>BLACKJACK DELI &amp; MORE</b>	1110 SW 1ST AVE	PO BOX 2915
Prem.	38918	BLACKJACK DELI & MORE LLC L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-651-9000	CLACKAMAS, OR 97015
Lic.	235930	<b>BORN &amp; RAISED</b>	486 NW 3RD AVE	
Prem.	55441	NASH MCKAY AND DAVIS LLC O - OFF-PREMISES SALES	CANBY, OR 97013 503-758-2439	
Lic.	235931	<b>BORN &amp; RAISED</b>	486 NW 3RD AVE	
Prem.	55442	NASH MCKAY AND DAVIS LLC L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-758-2439	
Lic.	234672	<b>CUTSFORTH THRIFTWAY</b>	225 NE 2ND	
Prem.	2572	GEF INC L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-266-2016	
Lic.	234685	<b>CUTSFORTH THRIFTWAY</b>	225 NE 2ND	
Prem.	2572	GEF INC O - OFF-PREMISES SALES	CANBY, OR 97013 503-266-2016	
Lic.	233174	<b>DENNY'S RESTAURANT</b>	1369 SE 1ST AVE	
Prem.	36262	CANBY-DENN INC F-COM - FULL ON-PREMISES SALES	CANBY, OR 97013 503-421-6957	
Lic.	235575	<b>EBNER CUSTOM MEATS</b>	272 N GRANT ST	
Prem.	49077	EBNER PROPERTIES LLC L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-266-5678	
Lic.	235602	<b>EBNER CUSTOM MEATS</b>	272 N GRANT ST	
Prem.	49077	EBNER PROPERTIES LLC O - OFF-PREMISES SALES	CANBY, OR 97013 503-266-5678	
Lic.	235247	<b>FOB TAP ROOM</b>	1109 SW 1ST AVE #D	
Prem.	54111	FOB TAP ROOM LLC L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-927-2207	
Lic.	233232	<b>FRED MEYER #651</b>	1401 SE 1ST	PO BOX 305103
Prem.	28571	FRED MEYER STORES INC O - OFF-PREMISES SALES	CANBY, OR 97013 503-797-7134	NASHVILLE, TN 37230
Lic.	233800	<b>FULTANO'S PIZZA</b>	715 SE 1ST	
Prem.	13198	ROMINE PIZZA CO L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-266-1444	



License No./ Premises No.		Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic.	233972	<b>GOLD DRAGON</b>	204 SW 2ND	
Prem.	27957	LAM P. PHAN F-COM - FULL ON-PREMISES SALES	CANBY, OR 97013 503-263-1877	
Lic.	233416	<b>HWY 99 SOUTH CANBY QUIK MART</b>	1120 SW 1ST	
Prem.	35523	HWY 99 SOUTH CANBY QUIK MART LLC O - OFF-PREMISES SALES	CANBY, OR 97013 503-266-9515	
Lic.	234529	<b>JOY KITCHEN</b>	314 NW 1ST AVE	
Prem.	47726	SHENG YING INC L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-266-8898	
Lic.	233651	<b>LA CONASUPER</b>	733 SE 1ST AVE	
Prem.	47149	LA CONASUPER INC O - OFF-PREMISES SALES	CANBY, OR 97013 503-830-2977	
Lic.	232946	<b>LA MIXTECA MARKET</b>	205 SW 1ST	PO BOX 251
Prem.	42541	RUFINO ZURITA O - OFF-PREMISES SALES	CANBY, OR 97013 503-266-6757	CANBY, OR 97013
Lic.	233154	<b>LONE ELDER PIZZA</b>	207 SW 1ST #106	
Prem.	18856	JULIE M. CHAPMAN MOORE L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-266-1888	
Lic.	233623	<b>LOS DORADOS MEXICAN RESTAURANT</b>	1011 SW 1ST AVE	
Prem.	25062	LOS DORADOS INC F-COM - FULL ON-PREMISES SALES	CANBY, OR 97013 503-263-3940	
Lic.	234625	<b>MIKE'S PLACE</b>	404 NW 1ST AVE	7595 SW THORNTON DR
Prem.	3604	CHRS INC F-COM - FULL ON-PREMISES SALES	CANBY, OR 97013 503-407-1240	WILSONVILLE, OR 97070
Lic.	234627	<b>MIKE'S PLACE</b>	404 NW 1ST AVE	7595 SW THORNTON DR
Prem.	3604	CHRS INC O - OFF-PREMISES SALES	CANBY, OR 97013 503-407-1240	WILSONVILLE, OR 97070
Lic.	233961	<b>NUEVO VALLARTA RESTAURANT</b>	1385 SE 1ST AVE #104	
Prem.	36350	PUERTO VALLARTA RESTAURANTS INC F-COM - FULL ON-PREMISES SALES	CANBY, OR 97013 503-266-1782	
Lic.	235179	<b>PUDDIN RIVER CHOCOLATES &amp; WINE BAR</b>	332 NW 1ST AVE	1440 S IVY ST
Prem.	43748	PUDDIN RIVER CHOCOLATES & CONFECTIONERY O - OFF-PREMISES SALES	CANBY, OR 97013 503-263-2626	CANBY, OR 97013
Lic.	235188	<b>PUDDIN RIVER CHOCOLATES &amp; WINE BAR</b>	332 NW 1ST AVE	
Prem.	43749	PUDDIN RIVER CHOCOLATES & CONFECTIONERY F-COM - FULL ON-PREMISES SALES	CANBY, OR 97013 503-263-2626	
Lic.	233370	<b>RICE TIME RESTAURANT</b>	356 NW 1ST AVE	
Prem.	51042	HAENGBOK INC L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-266-2623	
Lic.	234229	<b>RITE AID #5325</b>	891 SE 1ST AVE	PO BOX 3165
Prem.	45183	THRIFTY PAYLESS INC O - OFF-PREMISES SALES	CANBY, OR 97013 503-266-6381	HARRISBURG, PA 17105
Lic.	233513	<b>ROUNDERS CANBY</b>	224 NW 1ST AVE	
Prem.	43700	JTD ENTERPRISES LLC L - LIMITED ON-PREMISES SALES	CANBY, OR 97013 503-705-0588	

Lic. No./ Premises No.	Tradename/Licensee/License Type	Premises Address & Phone	Premises Mailing Address
Lic. 234588 Prem. 36549	<b>SAFEWAY STORE #2604</b> SAFEWAY INC O - OFF-PREMISES SALES	1055 SW 1ST AVE CANBY, OR 97013 503-266-5535	PO BOX 29096 PHOENIX, AZ 85038
Lic. 235429 Prem. 37243	<b>SMOKE 4 LESS</b> PRABEZ LLC O - OFF-PREMISES SALES	1021 SW 1ST AVE #A CANBY, OR 97013 503-651-2642	
Lic. 234272 Prem. 48994	<b>THAI CORNER CUISINE</b> THAI CORNER CUISINE LLC L - LIMITED ON-PREMISES SALES	1109 SW 1ST AVE SUITE A CANBY, OR 97013 503-263-2442	
Lic. 234279 Prem. 37095	<b>THAI DISH</b> THAI DISH INC L - LIMITED ON-PREMISES SALES	108 N IVY ST CANBY, OR 97013 503-263-9898	
Lic. 236315 Prem. 21375	<b>THE WILD HARE SALOON &amp; CAFE</b> SIDEWINDER INC F-COM - FULL ON-PREMISES SALES	1190 SW FIRST CANBY, OR 97013 503-651-4273	1109 SW FIRST AVE SUITE F CANBY, OR 97013
Lic. 241865 Prem. 15427	<b>TNT MARKET</b> WHK INC O - OFF-PREMISES SALES	164 SE 1ST AVE CANBY, OR 97013 503-266-2020	
Lic. 232980 Prem. 46515	<b>WALGREENS #10893</b> WALGREEN CO O - OFF-PREMISES SALES	1080 SW 1ST AVE CANBY, OR 97013 503-263-1600	PO BOX 901 DEERFIELD, IL 60015
Lic. 242114 Prem. 56092	<b>WALLY'S CHINESE KITCHEN</b> PHOEBE JIANG L - LIMITED ON-PREMISES SALES	679 SE 1ST ST CANBY, OR 97013 503-266-2221	215 NE 94TH AVE PORTLAND, OR 97220
Lic. 232928 Prem. 2136	<b>WILLAMETTE VALLEY COUNTRY CLUB</b> WILLAMETTE VALLEY COUNTRY CLUB INCCANBY, OR 97013 O - OFF-PREMISES SALES	900 COUNTRY CLUB PL CANBY, OR 97013 503-266-4066	PO BOX 988 CANBY, OR 97013
Lic. 232929 Prem. 2136	<b>WILLAMETTE VALLEY COUNTRY CLUB</b> WILLAMETTE VALLEY COUNTRY CLUB INCCANBY, OR 97013 F-CLU - FULL ON-PREMISES SALES	900 COUNTRY CLUB PL CANBY, OR 97013 503-266-4066	PO BOX 988 CANBY, OR 97013

Count for CANBY

40

**CITY OF CANBY  
APPLICATION  
BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

Date: Jan. 20, 2017  
 Name: Carol Luce Occupation: retired  
 Home Address: \_\_\_\_\_, Canby  
 Employer: N/A Position: N/A  
 Daytime Phone: \_\_\_\_\_ Evening Phone: same  
 E-Mail Address: \_\_\_\_\_

For which position are you applying? CAT Citizen Advisory Committee

What are your community interests (committees, organizations, special activities)?  
Transportation

Experience and educational background: I have served two terms on the CAT Advisory Committee. As for education, I finished high school and two years of college. More importantly, I have 84 years of life experience.

Reason for your interest in this position: I use CAT as my primary means of transportation and feel that I can help increase ridership in the community.

List any other City or County positions on which you serve or have served: none

Information on any special membership requirements: none

Referred by (if applicable): \_\_\_\_\_

Feel free to attach a copy of your resume and use additional sheets if necessary

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

Please return to: City of Canby - Attn: City Recorder

PO Box 930

222 NE 2<sup>nd</sup> Avenue

Canby, OR 97013

Phone: 503.266.0733 Fax: 503.266.7961 Email: [scheaferk@canbyoregon.gov](mailto:scheaferk@canbyoregon.gov)

Note: Please be advised that this information may be made available to anyone upon a public records request and may be viewable on the City's web site.

10-1-16



**CITY OF CANBY  
APPLICATION  
BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

Date: January 30, 2017  
 Name: Walt Daniels Occupation: Retired  
 Home Address: Canby  
 Employer: N/A Position: N/A  
 Daytime Phone: \_\_\_\_\_ Evening Phone: Same  
 E-Mail Address: \_\_\_\_\_  
 For which position are you applying? Transit Board

What are your community interests (committees, organizations, special activities)?  
Serve my community with my knowledge  
and leadership to make the city a better place  
for my children and grand children

Experience and educational background: Bachelor of Science degree  
from Oregon State University in Agriculture

Reason for your interest in this position: I have been interested in  
Transit since the City had Transit. I realized that  
Canby wasn't served adequately.

List any other City or County positions on which you serve or have served: City Council, CUB board

Information on any special membership requirements: \_\_\_\_\_

Referred by (if applicable): \_\_\_\_\_

Feel free to attach a copy of your resume and use additional sheets if necessary

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

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PO Box 930

222 NE 2nd Avenue

Canby, OR 97013

Phone: 503.266.0733 Fax: 503.266.7961 Email: [scheaferk@canbyoregon.gov](mailto:scheaferk@canbyoregon.gov)

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10-1-16

**RECEIVED**

**JAN 31 2017**

**CITY OF CANBY  
APPLICATION  
BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

Date: Feb. 16, 2017

Name: Linda D. Warwick Occupation: retired

Home Address: \_\_\_\_\_

Employer: Portland com. college Position: Professor

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

For which position are you applying? Library Board member

What are your community interests (committees, organizations, special activities)?  
Board member, Friends of the Canby Public Library, member Willamette Valley Country  
Club, volunteer manager, Book garden

Experience and educational background: BA, MA University of Utah  
retired English Professor Portland Community College

Reason for your interest in this position: I believe libraries are a  
critically important part of the educational system in a community.

List any other City or County positions on which you serve or have served: \_\_\_\_\_

Information on any special membership requirements: \_\_\_\_\_

Referred by (if applicable): \_\_\_\_\_

Feel free to attach a copy of your resume and use additional sheets if necessary

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

*Please return to: City of Canby - Attn: City Recorder*

*PO Box 930*

*222 NE 2<sup>nd</sup> Avenue*

*Canby, OR 97013*

*Phone: 503.266.0733 Fax: 503.266.7961 Email: [scheaferk@canbyoregon.gov](mailto:scheaferk@canbyoregon.gov)*

*Note: Please be advised that this information may be made available to anyone upon a public records request and may be viewable on the City's web site.*

*10-1-16*

**CITY OF CANBY  
APPLICATION  
BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

Date: 02/16/2017

Name: Jacqueline Jones Occupation: Portland State University Student

Home Address: \_\_\_\_\_

Employer: \_\_\_\_\_ Position: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

For which position are you applying? Traffic Safety Commission

What are your community interests (committees, organizations, special activities)? I am a member of the East Portland Rotary. The focused areas I have been a part of are with foster kids, end human trafficking and meals on wheels. I have served as the SW Neighborhood Chairman and Vice Chairman from 2008-2010 and 2016 to current as the chairperson

Experience and educational background: I have experience as a current board member with the Traffic Safety commission and value what their mission is. I have experience being a Parks and Rec board member. I have experience as being the chairperson for the neighborhood association. I have been on the TSP committee. I have also been on the safety committee for SW 13<sup>th</sup> Ave. I currently am a Portland State student majoring in Criminology and Justice.

Reason for your interest in this position: I currently am a member of the commission and would like to continue working with the other board members to help make our city safer for everyone. I would like to continue and be a part of the process and see how the projects we are working come to conclusion.

List any other City or County positions on which you serve or have served: I am currently on the Parks and Recreation Board. I have served on the Transportation System Planning committee. I have been a part of the safety planning committee for SW 13<sup>th</sup> Ave.

Information on any special membership requirements: \_\_\_\_\_

Referred by (if applicable): \_\_\_\_\_

Feel free to attach a copy of your resume and use additional sheets if necessary

**THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY**

*Please return to:* **City of Canby  
Attn: City Recorder  
182 N Holly Street  
PO Box 930  
Canby, OR 97013**

**Phone: 503.266.0733 Fax: 503.266.7961 Email: [Scheaferk@ci.canby.or.us](mailto:Scheaferk@ci.canby.or.us)**

**CITY OF CANBY  
APPLICATION  
BOARD/COMMITTEES/COMMISSIONS/COUNCIL**

Date: 2/20/2017

Name: Robert Cambra

Occupation: Retired

Home Address: Canby Oregon 97013

Employer:

Position:

Daytime Phone:

Evening Phone: same

E-Mail Address:

For which position are you applying? For reappointment as a committee member on the Traffic Safety Commission

What are your community interests (committees, organizations, special activities)? I have always valued service to the community and sharing one's talents. For the last several months, I have served on the Traffic Safety Commission and would like to continue. In the past, I was a very active member of the Canby Youth Soccer Organization serving as it's secretary and a youth recreational soccer coach for many years. I was also an active volunteer in the school while my children were going through the Canby School system. Currently, I remain active as an assistant coach with the Special Olympics program. I also remain active through my church and it's numerous community involment activities. Prior to my retirement this past April, I worked for the county and served on committees which impacted the communities of the county.

Experience and educational background: I have actively served on the Canby Traffic Safety Commission since being appointed in September of 2016 and gained a good understanding of the efforts and goals. I have earned a Bachelor Degree in Education and a Master Degree in Social Work. Over my working career I have had an opportunity to attend many different type of workshops regarding organization and human dynamics. I have worked for over thirty-five years in the Juvenile Justice System in a variety of capacities. For the last Twenty-three years, I worked for the Clackamas County Juvenile Department and retired as a supervisor. My experiences have provided me an opportunity to utilize many skills including: good listening, problem solving, an emphasis on and valuing customer service, an ability to work with a variety of people from a wide range of backgrounds and experiences, a willingness to take on difficult tasks and accomplish them, and an ability to manage crises and challenging circumstances. I am acquainted with committee membership having serviced on numerous committees both in our department and on the County level.

I also have a personal interest in building and constructing things which may help in understanding the dynamics of road maintenance.

Reason for your interest in this position: I have always viewed service to the community as important and now with more available time, it seems as a good time to participate. We have also been a member of this community for the last twenty-four years and are invested in it. In



attending the Council meetings, it appears serving on committees would provide an opportunity to serve and gain greater insight into our community. Our recent difficulties with our roadway provided a good direction to proceed. But more importantly, roads and the ability of people to move within this community are issues that effect the quality of life here. My time on the this commission has demonstrated that we can have an impact on making our community better by our active involvement and effort. Contributing to maintaining, planning, and enhancing our community is why I am volunteering to serve.

List any other City or County positions on which you serve or have served: As noted I have actually being a member of the commission since being appointed to it on September of 2016. I would gladly provide a list of committees if needed but those were in relationship to job duties as opposed to volunteer opportunities.

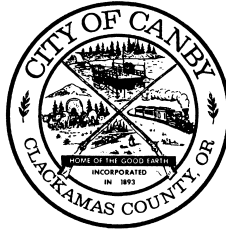
Information on any special membership requirements: none

Referred by (if applicable): Self

Feel free to attach a copy of your resume and use additional sheets if necessary

<p><b>THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY</b></p> <p><i>Please return to:</i>      <b>City of Canby</b> <b>Attn: City Recorder</b> <b>182 N Holly Street</b> <b>PO Box 930</b> <b>Canby, OR 97013</b></p> <p><b>Phone: 503.266.0733 Fax: 503.266.7961 Email: <a href="mailto:Scheaferk@ci.canby.or.us">Scheaferk@ci.canby.or.us</a></b></p> <p><b>Note: Please be advised that this information may be made available to anyone upon a public records request and may be viewable on the City's web site.</b></p> <p style="text-align: right;"><b>1-4-13</b></p>
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RECEIVED  
FEB 17 2017  
CITY OF CANBY



## MEMORANDUM

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**DATE:** FEBRUARY 15, 2017  
**TO:** HONORABLE MAYOR HODSON AND CANBY CITY COUNCIL  
**FROM:** JULIE BLUMS, FINANCE DIRECTOR  
**THROUGH:** RICK ROBINSON, CITY ADMINISTRATOR  
**RE:** SUPPLEMENTAL BUDGET RESOLUTION NO. 1259

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**ISSUE:** Adoption of a Supplemental Budget and appropriating unanticipated funds for the 2016-2017 fiscal year.

**SYNOPSIS:** A supplemental budget is required when unanticipated revenues are received and the City wants to be able to spend or transfer them in the current fiscal year. Proposed changes do not increase expenses of any fund by 10% or more.

### **General Fund**

#### **Police**

A Supplemental budget is being proposed due to the unanticipated damage to a police vehicle. The total cost of the replacement vehicle is \$37,415 of which 100% will be covered by the insurance reimbursement.

#### **Planning**

Subsequent to the adoption of the FY16-17 budget additional requests for traffic studies have been received by the planning department. The cost of the traffic studies is offset with fees paid by the developers. The revenue and expenditures are both increasing by \$19,000.

#### **Economic Development**

A supplemental budget is being requested due to the unanticipated receipt of grant revenue. The City received two grants after the budget was adopted. The grants are for the historic review of the heritage trail and for rehabilitation work at Baker Prairie Cemetery. Total expenditures need to be increased by \$9,601 to complete this work. All of the additional costs are covered by the grants.

### **Library Fund**

Subsequent to the adoption of the FY16-17 budget additional donations were received to be used on the new library building project, the total of these donations are \$46,713. All project costs for the new civic/library building are being charged to the URA, therefore these additional donations need to be transferred to the URA General Fund.

Additionally the Canby Friends of the Library made donations that are to be used for specific purposes in the library. The total of the donations are \$20,148. These funds are to be used for the Children's library, teen area electronics, new collection, and children's books. This requires an increase in the materials and services budget appropriation in the Library Fund.

**RECOMMENDATION:** Staff recommends that Council adopt Resolution No. 1259

**MOTION:** *I move to adopt Resolution 1259, a Resolution Adopting a Supplemental Budget for the 2016-2017 Fiscal Year.*

**ATTACHED:** Resolution No. 1259

## RESOLUTION NO. 1259

### A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2016-2017 FISCAL YEAR.

**WHEREAS**, the City of Canby budget for the 2016-2017 fiscal year was adopted by the City Council at a regular meeting thereof on Wednesday, June 15, 2016; and

**WHEREAS**, the City of Canby has since received unanticipated revenues and a supplemental budget is required in order to expend those revenues; and

**NOW THEREFORE, BE IT RESOLVED** by the Canby City Council as follows:

Section 1. Appropriations for the 2016-17 budget year are increased in the following amounts.

	<b>Current Appropriation</b>	<b>Change</b>	<b>Revised Appropriation</b>
<b>General Fund</b>			
Police Revenue	176,582	37,415	213,997
Police Capital Outlay	26,000	37,415	63,415
Planning Revenue	55,810	19,000	74,810
Planning Materials & Services	79,504	19,000	98,504
Economic Dev. Transfers In	572,794	9,601	582,395
Economic Dev. Materials & Services	101,671	9,601	111,272
<b>Library Fund</b>			
Beginning Fund Balance	1,463,408	20,600	1,484,008
Revenue	907,486	46,261	953,747
Materials & Services	271,706	20,148	291,854
Transfers Out	1,334,549	46,713	1,381,262

This resolution shall take effect on March 1, 2017.

ADOPTED by the Canby City Council at a regular meeting thereof on March 1, 2017.

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Brian Hodson, Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder



**ORDINANCE NO. 1457**

**AN ORDINANCE AMENDING THE ZONING MAP OF  
THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON  
FOR TAX LOT 2900 OF TAX MAP 3-1E-27AC**

**WHEREAS**, an application was filed with the City by Jason Bristol to change the zoning of one parcel totaling 0.27 acres from Low Density Residential (R-1) to High Density Residential (R-2); and

**WHEREAS**, a public hearing was conducted by the Canby Planning Commission on January 9, 2017 after public notices were mailed, posted and printed in the Canby Herald, as required by law; and

**WHEREAS**, the Canby Planning Commission heard the staff report and considered testimony regarding the proposed zone change at the public hearing. At the conclusion of the public hearing, the Planning Commission voted 5-1 to recommend that the City Council approve the application; and

**WHEREAS**, the Canby City Council considered the matter and the recommendation of the Planning Commission following a public hearing held at its regular meeting on February 1, 2017; and

**WHEREAS**. The Canby City Council, after considering the staff report, reviewing the record of the Planning commission's decision and conducting its own public hearing, voted to accept the Planning Commission's recommendation.

**NOW, THEREFORE, THE CITY OF CANBY ORDAINS AS FOLLOWS:**

Section 1: Tax Lot 2900 of Tax Map 3-1E-27AC is rezoned from Low Density Residential (R-1) to High Density Residential (R-2) as called for in Canby's Comprehensive Plan.

Section 2: The Mayor, attested by the City Recorder, is hereby authorized and directed to have the appropriate change made to the City's Zoning Map in accordance with the dictates of Section 1 of this Ordinance.

**2nd Reading**

**SUBMITTED** to the Council and read the first time at a regular meeting thereof on February 1, 2017, ordered posted in three (3) public and conspicuous places in the City for a period of five (5) days, as authorized by the Canby City Charter; and to come up for final reading and action by the Canby City Council at its regular meeting thereof on March 1, 2017, commencing after the hour of 7:30 p.m., in the Council Chambers located at 222 NE 2<sup>nd</sup> Avenue, 1<sup>st</sup> Floor, Canby, Oregon.

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Kimberly Scheafer, MMC  
City Recorder

**PASSED** on the second and final reading by the Canby City Council at a regular meeting thereof on March 1, 2017 by the following vote:

YEAS \_\_\_\_\_ NAYS \_\_\_\_\_

---

Brian Hodson  
Mayor

**ATTEST:**

---

Kimberly Scheafer, MMC  
City Recorder



# City of Canby

PO Box 930 Phone: 503.266.4021  
222 NE 2nd Ave Fax: 503.266.7961  
Canby, OR 97013 www.canbyoregon.gov

**DATE:** MARCH 1, 2017  
**TO:** CANBY CITY COUNCIL  
**FROM:** RICK ROBINSON, CITY ADMINISTRATOR

**RE:** ORDINANCE NO. 1458: AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ENTER INTO A CONTRACT WITH HEARD FARMS FOR WASTEWATER SEWAGE SLUDGE REMOVAL

**Issue:** Whether or not to continue to contract with Heard Farms for sewage sludge removal services for the City.

**Summary:** The City is currently contracting with Heard Farms for sewage sludge removal at the City's Wastewater Treatment Facility. Under the existing contract, the price charged per wet ton hauled is \$57 per wet ton. The \$57 price would remain unchanged under the proposed contract. This price is still approximately \$15 less per wet ton than the nearest competitor. For this agreement, the not-to-exceed price on the total amount of services is capped at \$149,000

**Attachments:** Ordinance 1458, Personal Services Agreement with Heard Farms, and Exhibit A.

**Recommendation:** Authorize this contract.

**Motion:** *"I move to approve Ordinance No. 1458, AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ENTER INTO A CONTRACT WITH HEARD FARMS FOR WASTEWATER SEWAGE SLUDGE REMOVAL; to come up for second reading on March 15, 2017."*

**ORDINANCE NO. 1458**

**AN ORDINANCE AUTHORIZING THE CITY OF CANBY TO ENTER INTO A CONTRACT WITH HEARD FARMS FOR WASTEWATER SEWAGE SLUDGE REMOVAL.**

**WHEREAS**, the City of Canby requires the hauling of tonnage of wet sewage sludge as part of its wastewater treatment; and

**WHEREAS**, the City of Canby desires to secure a cost-effective contract for this integral service.

**THE CITY OF CANBY, OREGON, ORDAINS AS FOLLOWS:**

**Section 1.** The City Administrator is hereby authorized on behalf of the City to enter into a Personal Services Agreement with Heard Farms to haul sewage sludge for the City. A copy of the Personal Services Agreement is attached hereto as Exhibit "A."

**Section 2.** The effective date of this Ordinance shall be July 1, 2017.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, March 1, 2017, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, March 15, 2017 commencing at the hour of 7:30 PM at the Council Meeting Chambers located at 222 NE 2<sup>nd</sup> Avenue, 1<sup>st</sup> Floor, Canby, Oregon.

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Kimberly Scheafer, MMC  
City Recorder

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 15<sup>th</sup> day of March 2017, by the following vote:

YEAS\_\_\_\_\_

NAYS\_\_\_\_\_

---

Brian Hodson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder



## EXHIBIT “A”

### PERSONAL SERVICES AGREEMENT

THIS AGREEMENT is between the CITY OF CANBY (City) and Heard Farms (Contractor).

- A. City requires services which Contractor is capable of providing, under terms and conditions hereinafter described.
- B. Contractor is able and prepared to provide such services as City requires, under those terms and conditions set forth.

The Parties Agree a Follows:

- 1. Scope of Services. Contractor’s services under this Agreement are set forth in Exhibit “A”, attached hereto.
- 2. Contractor Identification. Contractor shall furnish to City its employer identification number as designated by the Internal Revenue Service, or Contractor’s Social Security Number, as City deems applicable. **Contractor understands it is required to obtain a City of Canby Business License for conducting business in the City. Contractor agrees to obtain a Canby Business License prior to commencing work under this contract.**
- 3. Compensation:
  - A. City agrees to pay Contractor according to the proposed rate schedule submitted with the Contractor’s proposal. See Exhibit “A” attached hereto. Contractor agrees that \$149,000 is the not to exceed price of this contract, without prior written approval from the City.
  - B. City agrees to pay Contractor within 30 days after receipt of Contractor’s itemized statement reporting completed work. Amounts disputed by the City may be withheld pending settlement.
  - C. City certifies that sufficient funds are available and authorized for expenditure to finance costs of the Agreement.
- 4. Contractor is Independent Contractor.
  - A. Contractor’s services shall be provided under the general supervision of the City Administrator. Contractor shall be an independent contractor for all purposes and shall be entitled to no compensation other than the compensation provided for under Paragraph #3 of this Agreement.
  - B. Contractor certifies that it is either a carrier-insured employer or a self-

insured employer as provided in Chapter 656 of the Oregon Revised Statutes.

- C. Contractor hereby represents that no employee of the City, or any partnership or corporation in which a City Employee has an interest, will or has received any remuneration of any description from Contractor, either directly or indirectly, in connection with the letting or performance of this contract, except as specifically declared in writing.

5. **Subcontractors and Assignment.** Contractor shall neither subcontract any of the work, nor assign any rights acquired hereunder, without obtaining prior written approval from City. City, by this Agreement, incurs no liability to third persons for payment of any compensation provided herein to Contractor. Any subcontract between Contractor and subcontractor shall require the subcontractor to comply with all terms and conditions this agreement as well as applicable OSHA regulations and requirements.

6. Work is Property of City. All work performed by Contractor under this Agreement shall be the property of the City. City agrees that the Contractor may use its work in other assignments if all City of Canby data and references are removed.

7. Term.

- A. This Agreement may be terminated by:

1. Mutual written consent of the parties.
2. Either party, upon thirty (30) days written notice to the other, delivered by certified mail or in person.
3. City, effective upon deliver of written notice to Contractor by certified mail, or in person, under any of the following:
  - a. If Contractor fails to provide services called for by this Agreement within the time specified or any extension thereof.
  - b. If Contractor fails to abide by the terms of this Agreement.
  - c. If services are no longer required.

8. Professional Standards. Contractor shall be responsible to the level of competency presently maintained by others practicing the same type of work in City's community, for the professional and technical soundness, accuracy and adequacy of all work and materials furnished under this authorization.

9. Insurance. Insurance shall be maintained by the Contractor with the following limits:

- A. For General Liability Insurance, Contractor shall provide a Certificate of

Insurance naming the City of Canby as an additional insured showing policy limits of not less than \$1,000,000 Combined Single Limit for Bodily Injury/Property Damage on an occurrence basis.

B. For Automobile Insurance, Contractor shall provide a Certificate of Insurance naming the City of Canby as an additional insured showing policy limits of not less than \$1,000,000 Combined Single Limit for Bodily Injury/Property Damage on an occurrence basis for any vehicle used for City business or use otherwise related to this contract.

C. For Professional Liability—errors and omissions—a \$1,000,000 Combined Single Limit for Bodily Injury/Property Damage limit. **(Required for Architects, Appraisers, Attorneys, Consultants, Engineers, Planners, Programmers, etc.).** For purposes of professional liability, Contractor shall provide proof of a Certificate of Insurance naming the City of Canby as a Certificate Holder.

D. For Worker's Compensation, Contractor shall provide a Certificate of Insurance naming the City of Canby as a Certificate Holder showing Worker's Compensation Insurance with statutory limits of coverage.

Procuring of such required insurance at the above-stated levels shall not be construed to limit the Contractor's liability hereunder. Notwithstanding said insurance, Contractor shall be obligated for the total amount of any damage, injury, loss, or related costs caused by or related to Contractor's negligence or neglect connected with this Agreement.

10. Legal Expense. In the event legal action is brought by City or Contractor against the other to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, the losing party shall pay the prevailing party such reasonable amounts for attorneys fees, costs, and expenses as may be set by the court both at trial and all appeals there from.
11. Modifications. Any modification of the provisions of this Agreement shall be in writing and signed by the parties.
12. Notices. Any notice, bills, invoices, reports, or other documents required by this Agreement shall be sent by the parties by United States mail, postage paid, or personally delivered to the address below. All notices shall be in writing and shall be effective when delivered. If mailed, notices shall be deemed effective forty-eight (48) hours after mailing unless sooner received.
13. Entire Agreement. This Agreement contains the entire understanding of the parties regarding the subject matter of this Agreement and supersedes all prior and contemporaneous negotiations and agreements, whether written or oral, between the parties with respect to the subject matter of this Agreement.

14. Savings Clause. Should any provision of this Agreement be found to be in conflict with any federal or Oregon state law, or final controlling decision of any Court of competent jurisdiction, or ruling or decision of any controlling administrative agency, all other provisions of this Agreement shall remain in full force and effect.

CITY: Rick Robinson, City Administrator  
City of Canby  
PO Box 930  
Canby, OR 97013

CONTRACTOR: Richard Heard  
Heard Farms, Inc.  
578 Rogers Road  
Roseburg, OR 97471

Please submit invoices to: Attn: Accounts Payable  
City of Canby  
PO Box 930  
Canby, OR 97013  
[potterl@canbyoregon.gov](mailto:potterl@canbyoregon.gov)

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly appointed officers.

CONTRACTOR: CITY OF CANBY

By: By:

Date: Date:

Subcontractors will be used \_\_\_\_\_ No (If Yes, please complete List of Subcontractors attached to this Agreement)

Approved as to Form:

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Joseph Lindsay  
City Attorney

**LIST OF SUBCONTRACTORS**

*As per Section 5 of the Personal Services Agreement, the following businesses will be subcontractors. Subcontractors are required to have a City of Canby Business License prior to commencing work under this contract.*

[illegible]

**The City hereby approves the above listed subcontractors.**

City of Canby

Date \_\_\_\_\_

## **EXHIBIT "A"**

### **Memorandum of Agreed Terms for Personal Services Agreement between City of Canby, Oregon (City) and Heard Farms, Inc. for Sewage Sludge Pickup and Disposal**

In addition to the terms agreed upon in the signed Personal Services Agreement, the City of Canby, Oregon (City) and Heard Farms, Inc. agree to the following:

1. Heard Farms will pick up and dispose of sewage sludge from the City of Canby Wastewater Treatment Plant located at 1480 NE Territorial Road in Canby, Oregon, at a price of \$57.00 per ton.
2. The above-stated price of \$57.00 per ton will remain fixed for a one year period. Any subsequent change to the \$57.00 per ton price will require a new agreement.
3. The Personal Services Agreement shall be effective from July 1, 2017 through June 30, 2018.
4. Sewage sludge is not required to meet the Class B standard in order for Heard Farms to haul them off and dispose of them. The sewage sludge need to be in the range of 5 to 9 on the pH scale. Any testing of the sewage sludge for disposal purposes will be the responsibility of Heard Farms and will be done at the Heard Farms facility. The City is not responsible for this testing at all.
5. Containers and/or trailers will be hauled off by Heard Farms within 24 hours of the load being ready.
6. The City does not guarantee a specific amount of sewage sludge each month, but parties assume that amounts should be fairly consistent from month to month.
7. The City continues to reserve the right to haul off or have hauled off any excess sludge that Heard Farms cannot pick up and dispose of in a timely manner (by the end of each work week). The goal is to not have any sewage sludge storage over the weekends.
8. Ownership of the sewage sludge transfers to Heard Farms upon pick-up by Heard Farms.