



## AMENDED AGENDA

### CANBY CITY COUNCIL MEETING

June 17, 2015

7:30 PM

Council Chambers

155 NW 2<sup>nd</sup> Avenue

*Mayor Brian Hodson*

*Council President Tim Dale*

*Councilor Clint Coleman*

*Councilor Tracie Heidt*

*Councilor Traci Hensley*

*Councilor Greg Parker*

*Councilor Todd Rocha*

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### CITY COUNCIL MEETING

1. **CALL TO ORDER- 6:15 PM – City Hall Conference Room** – The Council will immediately go into Executive Session with the Regular Session following at 7:30 PM in the Council Chambers.
2. **EXECUTIVE SESSION:** ORS 192.660(2)(i) Performance Evaluation of Public Officer
3. **OPENING CEREMONIES – 7:30 PM – Council Chambers**
4. **CALL TO ORDER**
  - A. Invocation
  - B. Pledge of Allegiance
  - C. Fill-the-Boot Day Proclamation
5. **COMMUNICATIONS**
6. **CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS**

*(This is an opportunity for visitors to address the City Council on items not on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Each citizen will be given 3 minutes to give testimony. Citizens 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.)*
7. **MAYOR'S BUSINESS**
8. **COUNCILOR COMMENTS & LIAISON REPORTS**
9. **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 June 3, 2015 City Council Regular Meeting
  - B. Appointment to Historic Review Board

Pg. 1

Pg. 2

**10. PUBLIC HEARINGS**

- A. State Revenue Sharing Funds Pg. 17
- B. 2015-2016 FY Budget as Approved by Budget Committee Pg. 8

**11. RESOLUTIONS & ORDINANCES**

- A. Res. 1218, Verifying City Has Met Requirements to Receive State-Shared Revenue Money Pg. 7
- B. Res. 1219, Adopting Budget, Making Appropriations and Imposing and Categorizing Tax for the 2015-2016 FY Pg. 9
- C. Res. 1220, Adopting Supplemental Budget for the 2014-2015 FY Pg. 13
- D. Res. 1221, Declaring City's Election to Receive State Revenue for the 2015-2016 FY Pg. 18
- E. Ord. 1419, Amending Canby Municipal Code Chapter 9.32 Drug Paraphernalia Section 9.32.040 Offenses and Penalties and Section 9.32.060 Nuisance (2<sup>nd</sup> Reading) Pg.19

**12. NEW BUSINESS**

- A. Cancellation of July 1 City Council Meeting

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

**14. CITIZEN INPUT**

**15. ACTION REVIEW**

**16. EXECUTIVE SESSION:** ORS 192.660(2)(h) Litigation and ORS 192.660(2)(i) Performance Evaluation of Public Officer

**17. 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.ci.canby.or.us](http://www.ci.canby.or.us). 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

## Canby Fire District #62 "Fill-the-Boot" Day

WHEREAS, Canby Fire District #62 has been working with the Muscular Dystrophy Association in their fight against neuromuscular disease; and

WHEREAS, "Fill-the-Boot" is an opportunity for Oregon firefighters to ask community members to drop donations into their fire boots to help local families served by MDA in the state. This year marks the 61<sup>st</sup> anniversary of the partnership between firefighters and MDA in the fight against muscle wasting diseases; and

WHEREAS, Canby Fire District #62 has spent many hours collecting money on the streets for this campaign; and

WHEREAS, firefighters, locally and nationally, are the largest contributors to the MDA. Canby Firefighters collected \$7,800.00 in 2014 to help in the fight against the 43 different types of neuromuscular diseases.

NOW, THEREFORE, I, Brian Hodson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim Saturday, July 25, 2015 as:

**Canby Fire District #62  
"Fill-the-Boot" Day for the City of Canby**

Given unto my hand this 17<sup>th</sup> day of June 2015.

Brian Hodson  
Mayor





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

Date: June 9, 2015  
 Name: Barbara Garber Occupation: Freelance Editor  
 Home Address: \_\_\_\_\_  
 Employer: Self-employed Position: Business owner  
 Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_  
 E-Mail Address: jj  
 For which position are you applying? Historic Review Board

What are your community interests (committees, organizations, special activities)?  
I served as President of our Homeowners Association -  
Postlewait Estates.

Experience and educational background: I'm a professional writer & editor with a business degree. But as a former art history major, I love ancient architecture, and have traveled through Europe several times. I'm grateful that amidst the ruins so many ancient structures still stand. I know that Canby is not Italy. But one has to start somewhere!

Reason for your interest in this position: I'm pleased with the positive changes I've seen in the City over the 10 years I've lived here - better roads, new library coming, etc. A neighbor has spoken often about the work she's doing with the National Registry of Historic Places in regards to Canby's historic sites. It feels like the right time to get involved too.

List any other City or County positions on which you serve or have served: N/A

Information on any special membership requirements: N/A

Referred by (if applicable): Carol Palmer (Historic Review Board Chair)

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)

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.

1-4-13

**RECEIVED**

**JUN 09 2015**

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City of Canby - City Recorder

# Barbara G. Garber

**OBJECTIVE:** *To use my editorial talents, communication background, and exemplary work ethic for the benefit of writers – and readers – everywhere.*

## WORK EXPERIENCE

### **CleanEdits.com — 2013-Present**

#### **Owner, Editing business**

- Provide a full range of English editing services (from markup with notes to publication-ready text) for manuscripts, web content, marketing collateral, magazine articles, résumés, cover letters, and college application materials
- Proofread and copy edit for accurate grammar, sentence structure, punctuation, spelling, terminology, style, and continuity

### **Wellsource, Inc., Clackamas, Oregon — 2007-2013**

#### **Editor, Writer, and Content Developer** for a health-risk assessment software company

- Wrote, edited, and managed an online database of 2,800 health articles
- Collaborated with writers and designers to generate technical training manuals, marketing materials, wellness books, white papers, RFPs, and consumer health guides
- Wrote monthly newsletters, feature articles, and health tips for end users
- Created online software-training scripts and videos
- Developed product description sheets, web content, and customer satisfaction surveys
- Edited software release notes; reviewed software end-user functionality

### **American Tinnitus Association, Portland, Oregon — 1993-2007**

#### **Editor-in-Chief, quarterly health journal**

- Managed the design, layout, content, and distribution (print and online) of *Tinnitus Today*, a quarterly health journal for patients; supervised editorial and design teams
- Wrote feature articles for patients and health professionals
- Edited articles from researchers, physicians, and lay authors
- Translated technical research papers into easy-to-understand language for lay readers
- Created and analyzed readership surveys

#### **Interim and Associate Executive Director**

- Directed all organizational operations; managed fundraising and bequests; oversaw \$1.3M annual budget

#### **Director of Education**

- Wrote and co-produced (with A&E Television Network) a tinnitus research educational film hosted by Peter Graves
- Designed and managed online courses for audiologists and ENTs
- Facilitated online message boards for patients and health professionals
- Created an elementary school hearing conservation program (*Hear for a Lifetime*) for 300 school districts; produced companion training video for educators
- Organized national patient conferences

### **Director of Publications**

- Created fundraising materials, patient information brochures, and PSA scripts for TV, radio, and streaming video
- Developed content for two website redesigns
- Wrote speeches for national conferences and lobbying efforts

### **EDUCATION**

Bachelor of Arts in Business and Management – George Fox University, Newberg, Oregon  
 Graduate coursework in Writing – Portland State University, Oregon  
 Attended California State University, Los Angeles – Art History major; Writing minor

### **SPECIAL TRAINING / OTHER EXPERIENCE**

- All aspects of print and web publication, writing, editing, proofreading (APA, AP)
- Survey writing and analysis
- Homeowners Association Board President (2 years), Postlewait Estates, Canby, OR
- Portland Country Dance Community Board member (4 years), Committee member (7 years)
- La Leche League International – Support group facilitator (10 years), Oregon publication editor/contributing writer (8 years), Conference presenter

### **BOOK AUTHORED**

- *Tinnitus: Questions and Answers*. Co-author Jack A. Vernon, Allyn and Bacon/Pearson Education, 2001  
 (Selected by the Library of Congress to be audio-recorded for the National Library Service for the Blind and Physically Handicapped)

### **BOOKS EDITED**

- *The Portland Collection, Volume 3 – Contra Dance Music in the Pacific Northwest*. 2015
- *Weight Management for Life*. Wellsource, Inc., 2010
- *Step into Fitness and Health*. Wellsource, Inc., 2009
- *The Portland Collection, Volume 2 – Contra Dance Music in the Pacific Northwest*. 2005
- *The Portland Collection, Volume 1 – Contra Dance Music in the Pacific Northwest*. 1997

### **ARTICLES AUTHORED (partial list)**

- Recognizing Bipolar Disorder. *Online Wellness Center*, Wellsource, Inc., 2009
- Teens and Divorce. *Online Wellness Center*, Wellsource, Inc., 2008
- What You Can Do About Tinnitus. *Online Wellness Center*, Wellsource, Inc. 2008
- LASIK Laser Vision Correction: The Eyes Have It! *Online Wellness Center*, Wellsource, Inc., 2007
- MRIs – The Noise inside the Tube. *Tinnitus Today*, 2006
- Caffeine and Tinnitus. *Tinnitus Today*, 2005
- What is Tinnitus? *Tinnitus Today*, 2004
- Transcranial Magnetic Stimulation – Taking the Brain by Storm. *Tinnitus Today*, 2003
- There IS Something You Can Do About Tinnitus. *Healthy Hearing*, 2002
- Curing Tinnitus with a New Pair of Genes. *Tinnitus Today*, 2000
- Managing Ménière's Disease. *Tinnitus Today*, 1998

**Barbara G. Garber**

1505 N. Ponderosa Street • Canby, Oregon • 503-869-0413 • BarbaraGGarber@gmail.com

**ARTICLES AUTHORED** (partial list, cont.)

- Sound Sensitivity. *Tinnitus Today*, 1998
- Barometric Changes and the Ear. *Tinnitus Today*, 1997
- Back to School – Children and Tinnitus. *Tinnitus Today*, 1997
- Tinnitus – In the Eyes of the law. *Tinnitus Today*, 1996
- Air Bag Safety – Air Bag Risk. *Tinnitus Today*, 1996
- Drugs and Tinnitus Relief. *Tinnitus Today*, 1995
- The Miracle of Masking. *Tinnitus Today*, 1995
- Hearing Protection Devices for Consumers. *Consumer's Research*, 1994
- Effects of Herbal Remedies. *Leaven*, 1990

**Barbara G. Garber**

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# ***M E M O R A N D U M***

**DATE:** June 17, 2015  
**TO:** Honorable Mayor Hodson and City Council  
**FROM:** Haley Fish, Finance Director  
**CC:** Rick Robinson, City Administrator  
**RE:** **A RESOLUTION VERIFYING THAT THE CITY OF CANBY  
HAS MET THE REQUIREMENTS TO RECEIVE STATE-  
SHARED REVENUE MONEY.**

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Issue: Annual verification that the City has met the requirements to receive revenues from intergovernmental taxes.

Background: ORS 221.760 Prerequisites for cities in counties over 100,000 population to receive revenues from cigarette, gas and liquor taxes. (1) The officer responsible for disbursing funds to cities shall disburse such funds in the case of a city located within a county having more than 100,000 inhabitants, according to the most recent federal decennial census, only if the officer reasonably is satisfied that the city meets the requirements or if the city provides four or more of the following municipal services; (a) Police protection, (b) Fire protection, (c) Street construction, maintenance and lighting, (d) Sanitary sewers, (e) Storm sewers, (f) Planning, zoning and subdivision control, or (g) One or more utility services.

Recommendation: That council adopts Resolution No. 1218 certifying that the city has met the requirements to receive state-shared revenue money.

Fiscal Impact: The city estimates amounts to be received are \$18,700 for cigarette taxes, \$258,000 for liquor taxes, and \$923,000 for gas taxes.

Attached: Resolution No. 1218



## RESOLUTION NO. 1218

### A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE STATE-SHARED REVENUE MONEY.

**WHEREAS**, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820, and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

1. Police protection
2. Fire protection
3. Street construction, maintenance, and lighting
4. Sanitary sewer
5. Storm sewers
6. Planning, zoning, and subdivision control
7. One or more utility services and:

**WHEREAS**, City officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760,

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Canby, Clackamas County, Oregon hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

1. Police protection
2. Street construction, maintenance and lighting
3. Sanitary sewers
4. Storm sewers
5. Planning, zoning and subdivision control

This Resolution shall take effect on June 17, 2015.

**ADOPTED** this 17<sup>th</sup> day of June 2015 by the Canby City Council.

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Brian Hodson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder

# ***M E M O R A N D U M***

***DATE:*** June 17, 2015  
***TO:*** Honorable Mayor Hodson and City Council  
***FROM:*** Haley Fish, Finance Director  
***CC:*** Rick Robinson, City Administrator  
***RE:*** A RESOLUTION ADOPTING THE BUDGET, MAKING  
APPROPRIATIONS, AND IMPOSING AND CATEGORIZING  
TAXES FOR THE 2015-2016 FISCAL YEAR.

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**Issue:** Oregon budget law requires adoption of an annual budget by June 30 of each year. ORS 294.453 requires the City to hold a public hearing, and ORS 294.458 requires the City to submit tax certification documents to the County Assessor by July 15<sup>th</sup>.

ORS 294.456 allows the governing body to amend the budget estimates as long as property tax revenue or rates to be certified is not increased and expenditures in a fund are not increased more than \$5,000 or 10% whichever is greater.

**Background:** The City of Canby passed a Tax Base of \$1,250,000 on November 6, 1990. The City passed a local option levy of \$0.49 per \$1000.00 of assessed property value on November 08, 2011 to fund Swim Center operations. The City levies the taxes provided for in the adopted budget at the permanent rate of 3.4886 per \$1000. These taxes are hereby levied upon all taxable property within the district as of 1:00 a.m. July 1, 2015. The allocation and categorization are subject to the limits of section 11, Article XI of the Oregon Constitution.

**Recommendation:** We recommend City Council adopt Resolution No. 1219

**Attached:** Resolution No. 1219

## **RESOLUTION NO. 1219**

### **A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND IMPOSING AND CATEGORIZING TAX FOR THE 2015-2016 FISCAL YEAR**

**WHEREAS**, a public hearing for the 2015-2016 City Budget as approved by the Budget Committee was duly and regularly advertised and held on June 17, 2015; and

**WHEREAS**, the City Council of Canby proposes to levy the taxes provided for in the adopted budget at the permanent rate of 3.4886 per \$1,000 and a local option levy of 0.49 per \$1,000 of assessed property value and that these taxes be levied upon all taxable property within the district as of July 1, 2015; and

**WHEREAS**, the following allocation and categorization subject to the limits of section 11, Article XI of the Oregon Constitution make up the above aggregate levy; now therefore:

#### **RESOLUTION ADOPTING THE BUDGET**

**BE IT RESOLVED** that the City Council of the City of Canby hereby adopts the budget for fiscal year 2015-16 in the total of \$32,401,433. This budget is now on file at City Hall, 182 N. Holly St., Canby, Oregon.

#### **RESOLUTION MAKING APPROPRIATIONS**

**BE IT RESOLVED** that the amounts for the fiscal year beginning July 1, 2015, and for the purposes shown below are hereby appropriated:

##### **GENERAL FUND**

ADMINISTRATION	1,026,647
COURT	346,661
PLANNING	217,464
PARKS	798,526
BUILDING	31,808
POLICE	4,914,255
CEMETERY	76,650
FINANCE	444,789
ECONOMIC DEVELOPMENT	513,713
UNALLOCATED	
PERSONNEL SERVICES	75,000
MATERIALS & SERVICES	128,892
CAPITAL OUTLAY	66,030
DEBT SERVICE	20,857
TRANSFERS	72,430
CONTINGENCY	984,548
<b>TOTAL GENERAL FUND</b>	<b>9,718,270</b>

## **OTHER FUNDS**

### **LIBRARY FUND**

PERSONAL SERVICES	626,783
MATERIALS & SERVICES	163,735
TRANSFERS	93,755
CONTINGENCY	1,267,964
TOTAL	<b>2,152,237</b>

### **STREET FUND**

PERSONAL SERVICES	607,428
MATERIALS & SERVICES	398,429
CAPITAL OUTLAY	1,137,550
TRANSFERS	109,009
CONTINGENCY	844,377
TOTAL	<b>3,096,793</b>

### **SDC FUND**

TRANSFERS	560,038
CONTINGENCY	1,617,386
TOTAL	<b>2,177,424</b>

### **FLEET SERVICES FUND**

PERSONNEL SERVICES	238,324
MATERIALS & SERVICES	476,840
CONTINGENCY	71,834
TOTAL	<b>786,998</b>

### **FACILITIES FUND**

PERSONNEL SERVICES	102,367
MATERIALS & SERVICES	165,500
CAPITAL OUTLAY	27,900
CONTINGENCY	68,168
TOTAL	<b>363,935</b>

### **FORFEITURE FUND**

MATERIALS & SERVICES	45,002
TOTAL	<b>45,002</b>

**TECH SERVICES FUND**

PERSONNEL SERVICES	74,443
MATERIALS & SERVICES	185,178
CAPITAL OUTLAY	66,739
CONTINGENCY	51,397
<b>TOTAL</b>	<b>377,757</b>

**TRANSIT FUND**

PERSONNEL SERVICES	275,605
MATERIALS & SERVICES	1,303,434
CAPITAL OUTLAY	656,561
TRANSFERS	170,116
CONTINGENCY	792,651
<b>TOTAL</b>	<b>3,198,367</b>

**SWIM CENTER LEVY FUND**

PERSONNEL SERVICES	519,238
MATERIALS & SERVICES	130,630
CAPITAL	22,500
TRANSFERS	76,292
CONTINGENCY	436,354
<b>TOTAL</b>	<b>1,185,014</b>

**SEWER FUND**

WASTEWATER TREATMENT	2,062,749
COLLECTIONS	727,812
STORMWATER	341,396
UNALLOCATED	
PERSONNEL SERVICES	50,200
MATERIALS & SERVICES	64,100
CAPITAL OUTLAY	3,756,281
DEBT SERVICE	599,334
TRANSFERS	550,960
CONTINGENCY	250,322
<b>TOTAL SEWER FUND</b>	<b>8,403,154</b>

<b>TOTAL APPROPRIATIONS, ALL FUNDS</b>	<b>\$31,504,951</b>
<b>TOTAL UNAPPROPRIATED AMOUNTS, ALL FUNDS</b>	<b>\$ 896,482</b>
<b>TOTAL ADOPTED BUDGET</b>	<b>\$32,401,433</b>

**RESOLUTION IMPOSING THE TAX**

**BE IT RESOLVED** that the following ad valorem property taxes are hereby imposed for the tax year 2015-2016 upon the assessed value of all taxable property within the district:

- (1) At the rate of \$3.4886 per \$1,000 of assessed value for permanent rate tax;
- (2) At the rate of \$0.4900 per \$1,000 of assessed value for local option tax; and
- (3) In the amount of \$ 0 for debt service for general obligation bonds;

**RESOLUTION CATEGORIZING THE TAX**

**BE IT RESOLVED** that the taxes imposed are hereby categorized for purposes of article XI section 11b as:

	<b>General Government Limitation</b>	<b>Excluded from Limitation</b>
Permanent Rate Tax .....	\$ 3.4886/\$1,000	
Local Option Tax.....	\$ 0.4900/\$1,000	
General Obligation Debt Service Fund.....		\$ 0

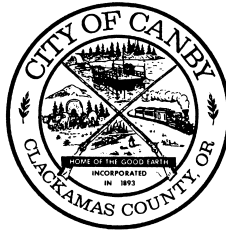
The above resolution statements were approved and declared adopted on this 17th day of June 2015.

\_\_\_\_\_  
Brain Hodson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, MMC  
City Recorder





## MEMORANDUM

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**DATE:** JUNE 8, 2015  
**TO:** HONORABLE MAYOR HODSON AND CANBY CITY COUNCIL  
**FROM:** HALEY FISH, FINANCE DIRECTOR  
**THROUGH:** RICK ROBINSON, CITY ADMINISTRATOR  
**RE:** SUPPLEMENTAL BUDGET RESOLUTION NO. 1220

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**ISSUE:** Adoption of a Supplemental Budget and appropriating unanticipated funds for the 2014-2015 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. The other changes in the supplemental budget are changes in appropriations from one budget category to another within the same fund. Such changes can be accomplished by a resolution transfer, but they can also be included in a supplemental budget. Proposed changes do not increase expenses of any fund by 10% or more.

### **General Fund**

#### **Planning**

Traffic Studies are completed as required due to applicable applications received and they are funded by the applicant therefore we are recognizing an excess of both revenue and expense realized and incurred.

#### **Court**

Personnel Services expense in this department is projected to exceed budget due to unanticipated changes in wages and benefits. We are offsetting this with excess fines and bails revenue realized.

#### **Cemetery**

Materials and Services are projected to exceed budget due to increase expenses incurred related to the change in operations as the previous contractor gave notice effective 1/1/2015.

### **Library Fund**

The Library realized unanticipated grant and donation revenues and corresponding expenses.

**Street Fund**

Increase in capital expense proposed relates to a timing difference in when the 2015 Street Maintenance Program will be completed; this was initiated by a request from the contractor which we are able to accommodate. In addition we have started engineering work on the 10<sup>th</sup> Avenue project which is also budgeted for next fiscal year.

**Fleet Services Fund**

The increase in capital outlay is related to changes in specifications for the flatbed truck which was budgeted and is being funded by an excess in cash carryover.

**Transit Fund**

The increase in capital relates to increased costs associated with the bus yard improvements, approved by Council.

**Swim Center Levy Fund**

Increase relates to additional cost of guards and instructors based on anticipated programing through the end of the year,

**SDC Fund**

Changes are proposed to recognize transfers for allowable expenses for waste water treatment plant improvements. It is our policy to use the most restricted forms of available revenue first.

**Sewer Combined fund**

Changes are proposed to offset the transfer out in the SDC Fund.

RECOMMENDATION: Staff recommends that Council adopt Resolution No. 1220

ATTACHED: Resolution No. 1220

**RESOLUTION NO. 1220**  
**A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET**  
**FOR THE 2014-2015 FISCAL YEAR**

**WHEREAS**, the City of Canby budget for the 2014-2015 fiscal year was adopted by the City Council at a regular meeting thereof on Wednesday, June 18, 2014; and

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

**WHEREAS**, in order to increase transfers from one fund to another fund a supplemental budget is required; and

**WHEREAS**, in order not to overspend appropriations in any category of expenditures, it is necessary to transfer appropriations within several funds from certain expenditure categories to other expenditure categories.

**NOW THEREFORE, BE IT RESOLVED THAT:**

Section 1. The following Supplemental Budget for the City of Canby for the 2014-2015 fiscal year is hereby adopted.

2014-2015 SUPPLEMENTAL BUDGET SUMMARY					
Fund/Department	Resources		Requirements		
GENERAL FUND					
Planning	Traffic Studies	\$ 2,250	Materials & Services	\$ 2,250	
Court	Fines and Bails	5,082	Personnel Services	5,082	
Cemetery			Materials & Services	16,029	
Administration			Contingency	(16,029)	
	Total Resources	<u>\$ 7,332</u>	Total Requirements	<u>\$ 7,332</u>	
LIBRARY FUND					
	Grants	\$ 5,689	Materials & Services	\$ 7,742	
	Donations	2,053			
	Total Resources	<u>\$ 7,742</u>	Total Requirements	<u>\$ 7,742</u>	
STREET FUND					
			Capital	\$ 47,000	
			Contingency	\$ (47,000)	
	Total Resources	<u>\$ -</u>	Total Requirements	<u>\$ -</u>	
FLEET SERVICES FUND					
	Cash Carryover	\$ 7,000	Capital	\$ 7,000	
	Total Resources	<u>\$ 7,000</u>	Total Requirements	<u>\$ 7,000</u>	

<b>TRANSIT FUND</b>	Cash Carryover	<u>\$ 15,000</u>	Capital	<u>\$ 15,000</u>
	<b>Total Resources</b>	<u><u>\$ 15,000</u></u>	<b>Total Requirements</b>	<u><u>\$ 15,000</u></u>
<b>SWIM CENTER LEVY FUND</b>			Personnel Services	\$ 16,820
			Contingency	<u>\$ (16,820)</u>
	<b>Total Resources</b>	<u><u>\$ -</u></u>	<b>Total Requirements</b>	<u><u>\$ -</u></u>
<b>SDC FUND</b>	SDC Revenue	<u>\$ 4,282</u>	Transfers out	\$ 25,000
			Contingency	<u>(20,718)</u>
	<b>Total Resources</b>	<u><u>\$ 4,282</u></u>	<b>Total Requirements</b>	<u><u>\$ 4,282</u></u>
<b>SEWER COMBINED FUND</b>	Transfer In	<u>\$ 25,000</u>	Materials & Services	<u>\$ 25,000</u>
	<b>Total Resources</b>	<u><u>\$ 25,000</u></u>	<b>Total Requirements</b>	<u><u>\$ 25,000</u></u>

This resolution shall take effect on June 17, 2015.

**ADOPTED** by the Canby City Council at a regular meeting thereof on June 17, 2015.

---

Brian Hodson, Mayor

ATTEST:

---

Kimberly Scheafer, MMC  
City Recorder

# ***M E M O R A N D U M***

***DATE:*** June 17, 2015  
***TO:*** Honorable Mayor Hodson and City Council  
***FROM:*** Haley Fish, Finance Director  
***CC:*** Rick Robinson, City Administrator  
***RE:*** **A RESOLUTION DECLARING THE CITY'S ELECTION TO  
RECEIVE STATE REVENUE FOR FISCAL YEAR 2015-2016.**

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**Issue:** A resolution declaring the City's election to receive state revenues for fiscal year 2015-2016.

**Background:** State Revenue Sharing Law, ORS 221.770, requires cities to annually pass an ordinance or resolution requesting state revenue sharing money. The law mandates public hearings be held by the city, both before the budget committee to discuss possible uses of the funds and before the city council on the proposed uses of the funds in relation to the entire budget. Certification of these hearings are required. This has to be done and filed with the Oregon Department of Administrative Services prior to July 31.

**Recommendation:** That council adopt Resolution 1221 declaring the city's election to receive state revenue for fiscal year 2015-2016.

**Fiscal Impact:** The amount estimated by the city to receive is approximately \$159,000.

**Attached:** Resolution No. 1221.

**RESOLUTION NO. 1221**

**A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2015-2016.**

**WHEREAS**, a public hearing for the use of state revenue sharing funds was held before the Budget Committee on May 14, 2015 and before City Council on June 17, 2015; now therefore,

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

**Section 1** Pursuant to ORS 221.770, the City of Canby hereby elects to receive state revenues for fiscal year 2015-2016.

This Resolution shall take effect on June 17, 2015.

**ADOPTED** this 17<sup>th</sup> day of June 2015 by the Canby City Council.

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Brian Hodson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder

**\*\*I certify that a public hearing before the Budget Committee was held on May 14, 2015 and a public hearing before the City Council was held on June 17, 2015, giving citizens an opportunity to comment on use of State Revenue Sharing.**

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Kimberly Scheafer, MMC  
City Recorder



## ORDINANCE NO. 1419

### AN ORDINANCE AMENDING CANBY MUNICIPAL CODE CHAPTER 9.32 DRUG PARAPHERNALIA SECTION 9.32.040 OFFENSES AND PENALTIES AND SECTION 9.32.060 NUISANCE

**WHEREAS**, the City of Canby currently has a Municipal Code, Chapter 9.32 based upon the Model Drug Paraphernalia Act authorized by the Drug Enforcement Administration of the United States Department of Justice; and

**WHEREAS**, the People of the State of Oregon recently voted to legalize (under Oregon State law) the use of recreational marijuana for people over the age of twenty-one years; and

**WHEREAS**, the Canby Municipal Code needed to reflect these recent changes in Oregon law as it relates to drug paraphernalia; now therefore.

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

1. Section 9.32.040 and 9.32.060 of the Canby Municipal Code are amended to read as follows:

#### **§ 9.32.040 Offenses and penalties.**

A. Possession of Drug Paraphernalia. It is unlawful for any person to use or to possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance. Any person who violates this subsection is guilty of an infraction and upon conviction may be fined not more than \$500. **As of July 1, 2015, it is a valid defense to this section that a violator of this section is twenty-one years or older at the time of the offense, and that the paraphernalia was solely for uses involving marijuana.**

B. Manufacture or Delivery of Drug Paraphernalia. It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing or under circumstances where one reasonably should know that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance. Any person who violates this subsection is guilty of an infraction and upon conviction may be fined not more than \$500. **As of July 1, 2015, it is a valid defense to this section that a violator of this section is twenty-one years or older at the time of the offense, and that the paraphernalia was solely for uses involving marijuana by others also over the age of twenty-one years.**

C. Delivery of Drug Paraphernalia to a Minor. Any person 18 years of age or over who violates division B. of this section by delivering drug paraphernalia to a person under 18 years of age ~~who is at least 3 years his or her junior~~ is guilty of a misdemeanor offense and upon conviction may be imprisoned for not more than 1 year, fined not more than \$2,500 **6,250**, or both.

D. Advertisement of Drug Paraphernalia. It is unlawful for any person to place in any newspaper, magazine, handbill or other publication any advertisement, knowing that the purpose of the advertisement, in whole or in part, is to promote the sale of objects

2nd Reading

designed or intended for use as drug paraphernalia. Any person who violates this section is guilty of an infraction and upon conviction may be fined not more than \$500.

**§ 9.32.060 Nuisance.**

A. Drug paraphernalia are public nuisances. Any peace officer who has probable cause to believe these items enumerated above are being possessed in violation of this chapter shall summarily seize any paraphernalia and shall deliver it to the Chief of Police, who shall hold it subject to the order of the Municipal Court. **Officers operating under this section should consider the new, valid defenses above as of July 1, 2015.**

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, June 3, 2015; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, June 17, 2015, after the hour of 7:30 p.m. at the Council Meeting Chambers located at 155 NW 2<sup>nd</sup> Avenue, 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 17<sup>th</sup> day of June 2015, by the following vote:

YEAS \_\_\_\_\_

NAYS \_\_\_\_\_

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Brian Hodson  
Mayor

ATTEST:

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Kimberly Scheafer, MMC  
City Recorder

## **Management Team Meeting Minutes**

**June 1, 2015**

**2:00 PM**

### **City Hall Conference Room**

In attendance: Rick Robinson, Kim Scheafer, Bryan Brown, Eric Laitinen, Amanda Zeiber, Renate Mengelberg, Julie Wehling, and Joseph Lindsay.

#### Renate Mengelberg

- Doing a short presentation on the Business Survey results at the Chamber lunch tomorrow
- Meeting with Mary Hanlon tomorrow
- Will be marketing the former CAT office and former PD building for a short term lease
- Will be contacting owners of two building that need upkeep and inform them of ways they can get help
- First Friday is June 5

#### Amanda Zeiber

- New IT person's name is James
- Sign will be going up saying Juniper Street will be closed where the new Library/Civic Center is going up
- Has been meeting with architects and contractors on the new Library/Civic Center building design and cost
- Two Public Works Director Finalists will be touring the City
- *Working in a Changing Environment* seminar will be held for staff at the PD tomorrow from 10-11 a.m.

#### Kim Scheafer

- Reviewed Agendas for the June 3 URA Meeting & CC Work Session and Meeting
- Council will decide at June 17 whether or not to cancel July 1 CC Meeting. No items are on the Agenda.

#### Joseph Lindsay

- Gave an update on what's happening in Court

#### Julie Wheling

- Halfway finished with the new signage installation
- New parking lot will be striped soon
- Once the fixed route schedule is changed, the bigger buses will park at the new parking lot
- Will be working with 3<sup>rd</sup> graders from Knight Elementary on their Transportation Unit and the differences between transit and school busses
- Cameras will be installed in the new parking lot
- Out of office on June 12 to attend the C4 Retreat

#### Bryan Brown

- Staff is working with railroad regarding N Redwood Masterplan and issue with current access driveway
- Working with property owner and consultant for the Canby Apartments rezoning application
- Working with applicant on N Maple Street subdivision
- Hope Village duplex will be on the June 22 PC Agenda

Eric Laitinen

- Today is the last day of 2<sup>nd</sup> Grade Swim Lessons
- Summer schedule starts June 14

*Minutes taken by Kim Scheafer*