



AGENDA

CANBY CITY COUNCIL REGULAR MEETING

May 1, 2013

7:30 PM

Council Chambers

155 NW 2nd Avenue

Mayor Brian Hodson

Council President Tim Dale

Councilor Richard Ares

Councilor Clint Coleman

Councilor Traci Hensley

Councilor Greg Parker

Councilor Ken Rider

WORK SESSION

6:30 PM

City Hall Conference Room

182 N Holly

This Work Session will be attended by the Mayor and City Council to discuss a proposed transient room tax and a fee increase for sanitary and storm sewer service.

CITY COUNCIL REGULAR MEETING

1. CALL TO ORDER

- A. Pledge of Allegiance and Moment of Silence
- B. Water Safety Month Proclamation Pg. 1
- C. Poppy Days in Canby Proclamation Pg. 2
- D. NALC Food Drive Day Proclamation Pg. 3
- E. Street Excavation Application for 655 SW 2nd Avenue Pg. 4

2. COMMUNICATIONS

3. 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.)

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 April 17, 2013 City Council Regular Meeting
- B. Reappointments to Parks and Recreation Advisory Board Pg. 6
- C. Reappointments to City Budget Committee Pg. 9

7. PUBLIC HEARING

- A. Appeal of Planning Commission's Decision on Fred Meyer Stores, Inc. Site and Design Review Application DR 12-03 **(Supplement to Packet)**

8. RESOLUTIONS & ORDINANCES

- A. Ord. 1373, Amending CMC Chapter 9.48.050 Regarding Noise Control Exceptions and Variances (2nd Reading) Pg. 15

9. NEW BUSINESS

10. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

11. CITIZEN INPUT

12. ACTION REVIEW

13. EXECUTIVE SESSION: ORS 192.660(2)(h) Pending Litigation

14. 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, MMC, City Recorder at 503.266.0733. A copy of this Agenda can be found on the City's web page at www.ci.canby.or.us. City Council and Planning Commission Meetings are broadcast live and can be viewed on OCTS Channel 5. For a schedule of the playback times, please call 503.263.6287.



Office of the Mayor

Proclamation

Water Safety Month

WHEREAS, citizens of Canby recognizes that swimming and aquatic-related activities contribute to good physical and mental health and enhance the quality of life for all people; and

WHEREAS, the citizens of Canby understand the essential role that Water Safety education plays in preventing drownings and recreational water-related injuries and have demonstrated that understanding by approving funding to continue operation of the Canby Swim Center; and

WHEREAS, the City of Canby is aware of the contributions made by the recreational water industry, as represented by the many organizations, including the Canby Swim Center, involved in the National Water Safety Month Coalition that have developed safe swimming facilities, swim lessons and other aquatic programs, home pools and spas, and related activities; and

WHEREAS, these facilities, along with the many natural rivers and ponds in the Canby area are providing healthy places to recreate, learn and grow, build self-esteem, confidence, and a sense of self-worth which contributes to the quality of life in our community; and

WHEREAS, the citizens of Canby recognize the ongoing efforts and commitment of the Canby Swim Center to educate the public, and especially children, regarding Water Safety issues so that they may safely enjoy the benefits of all water related activities; and

WHEREAS, the citizens of Canby understand the vital importance of communicating Water Safety rules and programs to families and individuals of all ages, whether owners of private pools, users of public swimming facilities, or visitors to area rivers and swimming holes.

NOW THEREFORE, I, Brian Hodson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim the month of May as:

WATER SAFETY MONTH

in the City of Canby and do urge all those in the Canby area to support and promote this observance.

Given unto my hand this 1st day of May 2013 in the City of Canby, Oregon.



Brian Hodson
Mayor



Office of the Mayor

Proclamation

Poppy Days in Canby

WHEREAS, the American Legion Auxiliary adopted the poppy as its memorial flower which pays tribute to the war dead and serves as a source of aid to surviving veterans and their families; and

WHEREAS, the contributions provided by the American Legion Auxiliary are put to good use in support of the children and youth of the Canby community and toward the rehabilitation and care of veterans; and

WHEREAS, the work of the American Legion Auxiliary through the annual sale of poppies is a proper and fitting tribute to the acts of patriotism and courage made by our nation's veterans in time of national need.

NOW, THEREFORE, I, Brian Hodson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim the month of May 2013 as

Poppy Month

and I do further proclaim the week of May 26 through June 1, 2013 as

Poppy Days in the City of Canby

and urge all citizens of the City of Canby to proudly remember the sacrifices made by the members of our Armed Forces by contributing to the American Legion Auxiliary during the month of May 2013 in support of their service to our country's veterans.

Given unto my hand this 1st day of May 2013.

Brian Hodson
Mayor





Office of the Mayor

Proclamation

National Association of Letter Carriers National Food Drive Day

WHEREAS, the National Association of Letter Carriers, in conjunction with the National Rural Letter Carriers' Association, Campbell Soup Company, Valpak, U.S. Postal Service, United Way, AFL-CIO, Feeding America, Uncle Bob's Self-Storage, AARP, GLS, Source Direct Plastics, Publix and Wal-Mart are coordinating a non-perishable food drive; and

WHEREAS, the Saint Vincent de Paul Food Bank at St. Patrick's Church and Canby's local food banks are in need of food at all times; and

WHEREAS, the local food bank shelves are continually in need of replenishment due to the ongoing dramatic increase in the need for food; and

WHEREAS, last year 10,402 pounds of non-perishable food was collected; and

WHEREAS, during the last six months the total number of food orders at the St. Vincent de Paul Food Bank in Canby was 6,641; and

WHEREAS, the local letter carriers will collect non-perishable food items placed by mailboxes on Saturday, May 11, 2013.

NOW, THEREFORE, I, Brian Hodson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim Saturday, May 11, 2013 as

2013 National Association of Letter Carriers
National Food Drive Day

and urge all citizens of the City of Canby to participate in this worthwhile event by donating non-perishable food items to help feed those who are in need.

Given unto my hand this 1st day of May 2013.



Brian Hodson
Mayor

RECEIVED

APR 22 2013

CITY OF CANBY



City of Canby Street Excavation (Construction)
Application and Permit
Permit Fee is \$100.00

Date: 4-23-2013 Fee: \$100.00 Permit No. B0449512 C

1. Applicant's Name <u>Darren Momen</u>		2. Business Address & Telephone Number <u>23633 S. Ronderic Dr. Canby</u>	
3. Company Name <u>Momen Construction</u>		4. Contact Person <u>Darren Momen</u>	
5. Contractor if Other Than Applicant <u>Jones Company</u>		6. Business Address, Phone & Fax Number <u>P.O. Box 813 Canby, OR</u>	
7. Starting Date <u>undetermined</u>	8. Completion Date <u>undetermined</u>	9. Street Address of Opening <u>655 SW 2nd Ave, Canby</u>	
10. Size of Opening <u>3'</u> Width <u> </u> Depth <u>10'</u> Length		11. Purpose of Opening <u>To connect Fire Suppression System.</u>	
12. Describe Location of Opening if no Street Address is Available 			
13. Received payment by (Planning Dept Personnel): <u>N/A</u> Check Number and Amount: <u>N/A</u>			

I (we) hereby agree to be bound by the provisions of the orders, specifications, and regulations of the City of Canby governing openings in or under City or public streets within its jurisdiction, and to such special conditions, restrictions and regulations as may be imposed by the Engineer. All excavation shall follow City of Canby design manual and standard specifications.

[Signature]
Signature of Applicant

[Signature]
Signature of Contractor if Other than Applicant

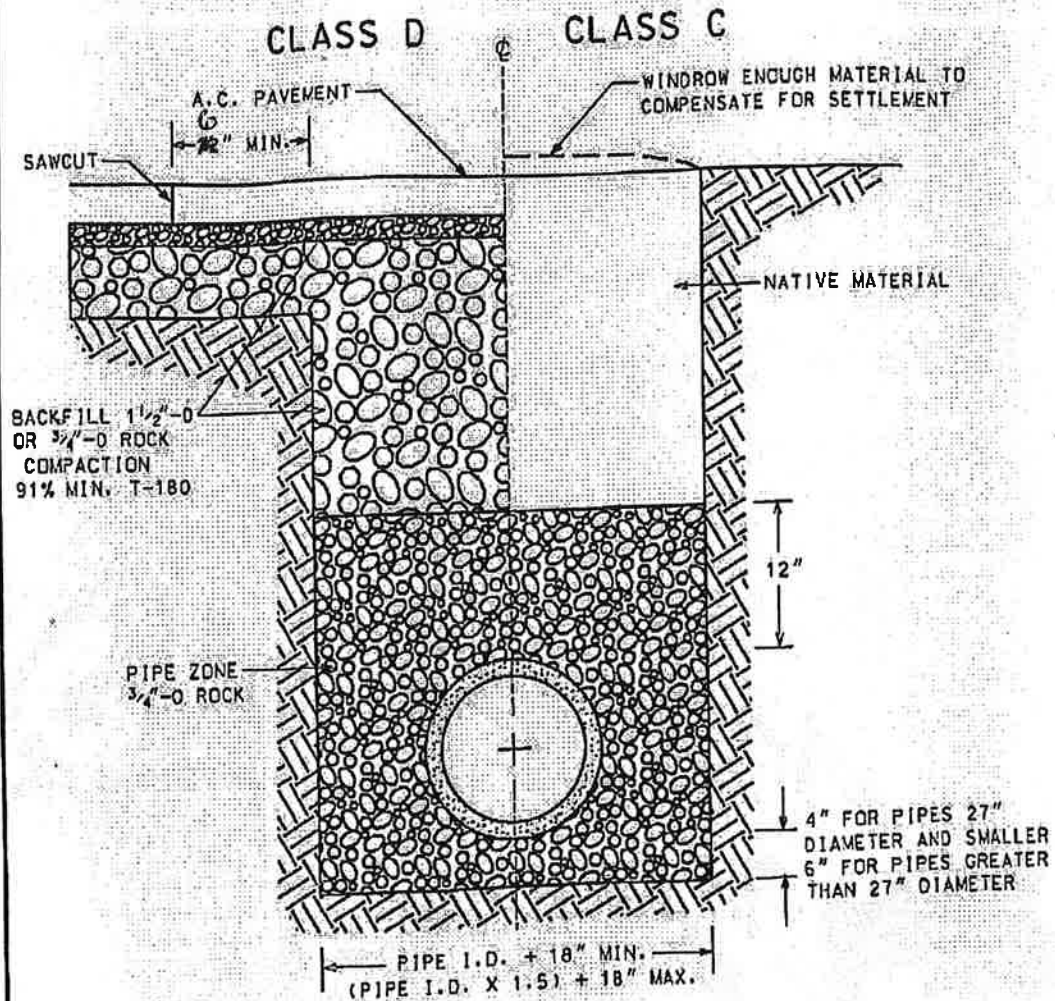
4-22-13
Date of Application

Signature of Public Works Supervisor



Jonas
COMPANY

CCB# 185118



PIPE TRENCH BACKFILL

REVISED:
VALID:

SCALE: NONE

DRAWN: D.L.
APPROVED: K.L.H.

DWG NO. 240

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

RECEIVED
APR 10 2013
CITY OF CANBY

Date: 4-10-13Name: RYAN OLIVER Occupation: INSURANCE BROKERHome Address: CANBYEmployer: OLIVER INSURANCE Position: OWNER

Daytime Phone: _____ Evening Phone: _____

E-Mail Address: _____

For which position are you applying? PARK & REC ADVISORY

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

CHAMBER BOARD, V.P. / JUNIOR BASEBALL, PRES. COACH PARK
BASEBALL, PRES. OCTS / CTVS, PRESExperience and educational background: 12+ YEARS ON PARK BOARD
BACHELOR OF SCIENCE UNLV 1996Reason for your interest in this position: TO MAKE SURE CANBY'S
PARK SYSTEM KEEPS BEING THE BEST IT CAN BE.

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
182 N Holly Street
PO Box 930
Canby, OR 97013

Phone: 503.266.0733 Fax: 503.266.7961 Email: 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.

I-4-13

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

Date: 4/10/13
 Name: Math Olsen Occupation: Business owner - insurance
 Home Address: _____
 Employer: Self Position: State Farm Agent
 Daytime Phone: _____ Evening Phone: _____
 E-Mail Address: _____
 For which position are you applying? Parks + Recreation Advisory Board

What are your community interests (committees, organizations, special activities)?
Help youth become productive adults. Make Canby an attractive place for new businesses to come to and families to move to. Help downtown small businesses thrive.

Experience and educational background: Park + Rec Advisory Board - 6 yrs
B.S. in Environmental Engineering from OSU

Reason for your interest in this position: Parks are an important part of every community. They are where our kids play sports, families go to relax and celebrate, and where we can get away from everyday life and enjoy the outdoors. Helping to make sure we are getting the most out of our parks is vital to Canby's future.
 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

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RECEIVED

APR 12 2013

CITY OF CANBY

1-4-13

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

RECEIVED

APR 22 2013

CITY OF CANBY

Date: April 10th 2013Name: Bethany DavisOccupation: StudentHome Address: 56

Employer: _____ Position: _____

Daytime Phone: _____ Evening Phone: _____

E-Mail Address: _____

For which position are you applying? Park & Rec board

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

General betterment of the community, young generation voice, I love volunteering and would be interested in all committees/organizations / special activities

Experience and educational background: few months of being on the board, current college student

Reason for your interest in this position: reappointment of position, very interesting, really have enjoyed my time

List any other City or County positions on which you serve or have served: Park & Rec advisory board

Information on any special membership requirements: _____

Referred by (if applicable): Matilda

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

RECEIVED

APR 22 2013

CITY OF CANBY

Phone: 503.266.0733 Fax: 503.266.7961 Email: Scheaferk@ci.canby.or.us

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1-4-13

RECEIVED
APR 17 2013
CITY OF CANBY

April 16, 2013

Kim Scheafer
City of Canby
182 N. Holly
Canby, OR 97013

Re: City Budget Committee Application

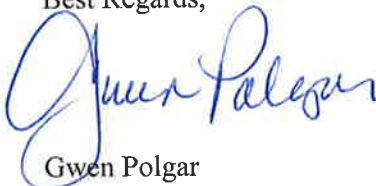
Dear Kim,

Enclosed is my application for the City Budget Committee seat that is becoming available June 30, 2013.

I hope you and the City Council will consider my application for reappointment.

I look forward to hearing from you and/or the City Council soon.

Best Regards,



Gwen Polgar

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

Date: April 16, 2013

Name: Gwendolyn C. Polgar

Occupation: Commercial Real

Estate Analyst

Home Address:

Employer: HomeStreet Bank

Position: Senior Loan Analyst

Daytime Phone:

Evening Phone:

E-Mail Address:

For which position are you applying? City Budget Committee

What are your community interests (committees, organizations, special activities)? Working with the leaders and volunteers within the Canby Community to promote the cities attributes, as well as being involved with local organizations to keep Canby growing

Experience and educational background: I have been in Commercial Real Estate lending for the past 18+ years. I have actively worked with portfolio, Fannie Mae and construction loans. I have managed budgets, funded, balanced, adjusted, restructured construction loan from small to multi-million dollar range. I have prepared, analyzed and verified borrower financial information, liquidity requirements, property operations (income & expenses) and hired independent consultants to inspect and recommended property compliance with city ordinances, building longevity and life safety concerns. I have completed classes and certifications needed for this position through the OMLA (Oregon Mortgage Lenders Association) and the MBA (Mortgage Bankers Association) some of those classes have been in Corporation Financial Analysis and Certification to complete property inspections for Fannie Mae and Portfolio loans.

Reason for your interest in this position: In October of 2010 I applied for the volunteer seat on the budget committee and served my term which expires in June 2013. I found this participation to be supporting to my community as well as being involved with some very caring citizen. I learned a lot about Canby and it's leadership. I would like to continue my participation and support of this community and it's vision for the future.

List any other City or County positions on which you serve or have served: I have served/volunteered on the Canby City Budget Committee since 2011. I am also involved in the Canby Leadership Training Program through the Ford Foundation since 2011, I was involved in the Canby Bike Rack gift to the City in 2012.

Information on any special membership requirements: None at this time.

Referred by (if applicable): I am on the City Budget Committee until June 2013.

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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182 N Holly Street
PO Box 930
Canby, OR 97013

Phone: 503.266.0733 Fax: 503.266.7961 Email: Scheaferk@ci.canby.or.us

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1-4-13

Contact

Gwen Polgar

Email:

Objective

To work in a dynamic environment that provides me with a wide spectrum of experience and exposure. To bring a versatile portfolio of professional skills to the workplace and to serve the organization with positive attitude and efficiency.

Skills

- Strong organizational, administrative abilities and experience.
- Detail oriented; competent in prioritizing a broad range of responsibilities in order to meet deadlines.
- Strong verbal, written and interpersonal communication skills as demonstrated in collaborating with individuals at all levels and team members.
- Self-directed and results-oriented with the ability to motivate and inspire others.
- Able to work alongside peers to build an efficient and simple work flow process.
- Proven track record of successful project management.
- Highly self-motivated, confident and eager to learn and apply new skills.
- Proficient computer skills to include: Microsoft Word, Excel, Power Point, Adobe Acrobat Professional 8.0, Lotus Notes 7.0 and ACT database.

Experience

May 1999 - Present HomeStreet Capital (Formerly Continental Mortgage) Portland, OR

Office Administrator/Portland IS Department Liaison:

- Supported four managers: Seattle Capital Manager (EVP), Production Manager (VP), Business Manager and the Portland Capital Manager (VP). Scheduled meetings prepare monthly and quarterly production/goal reporting, accounts payable, reconciling bills, loans and assist in maintaining the flow of current production volume.
- Day-to-day point of contact for the overall operations of the Portland Income Property group.
- Work within several internal departments: Corporate Services: Office leasing and maintenance, office security etc; Retail Banking: Creating new or verifying customer accounts; Residential Construction: Customer referrals and existing account balances; Finance: Paying bills, reconciling loan ledger balances and refunds to customers.
- Sustain office operation such as: Phone technology issues, supplies, property market information, back up for records retention program. Installed new mainframe equipment, set-up computers for new employees, liaison between Portland staff and Seattle Information Services Department, troubleshoot problems with in the office for six departments.
- Hire and train temporary help.

Senior Loan Production Analyst (Processing) and Construction Loan Administrator:

- Gather and review borrowing entity documentation: Financial information, spread property operating history, management background, title reports and market information.
- Oversight and management of vendors, service providers and outsource contractors.
- Negotiate cost, timing and scheduling of third party vendors to inspect income properties.
- Support two underwriting managers in Seattle, local underwriting staff, loan officers and

loan closers. Prepare loan applications, broker packages, Fannie Mae loan delivery packages and analyze property operating statements.

- Prepare construction draws. Conduct quarterly audits, TCL administration, wires, deposits, GL ledger balances and payments to vendors and/or borrowers.
- Train new personnel as needed.

Accomplishments:

- Researched a high end copier scanner which resulted in efficiency of production and a cost savings in the purchase of paper and time spent by employees.
- Surveyed and identified updates necessary to improve performance of the Portland server access switches.

January 1993 – May 1999 Wells Fargo Bank-Commercial Real Estate (CRE) Portland, OR
First Interstate Bank-Commercial Real Estate (CRE)

Loan Administration Officer:

- Closed construction and portfolio loans, worked closely with borrowers, guarantors, internal departments, title companies, attorneys and third party vendors. Prepared loan documents, draws and wire transfers. Conducted audits, created documentation check lists and correspondence as needed.

Administrative Assistant/Support Specialist:

- Prepared monthly reports for three managers by product types, loan fees, commitment dollars, location, incentive records and new business. Audited Commercial Real Estate loans for Oregon, Washington and Idaho prior to federal regulated bank audits. Supported three managers (one SVP), 10- 15 loan officers and approx 12-17 support staff. Managed multi-line phones, mail, supplies, prepared correspondence, assisted in reconfiguration of the office, planned office retreats and prepared all documentation for meetings.

Accomplishments:

- Acted as liaison within the department during conversion from Lotus and Word Perfect to Microsoft Office. Implemented new formulas to spreadsheet and auto-filed formats to documents which resulted in less data entry and streamlined applications for users.
- Built new reporting spreadsheets for department managers which resulted in efficient internal audits and tracking of required financial loan information.

Education

2011 Fannie Mae Property Inspection Certification
2006 Mortgage Bankers Association *Self Study Course* - Understanding Financial Statements (corporate level/underwriter version)
1996-97 Elliott Bookkeeping School, Beaverton, OR - General to complex accounting
1979-83 Rex Putnam High School, Milwaukie, OR - Required courses / Graduated June -1983

**Community
Relations:**

2010-present City of Canby Budget committee
2011-present Ford Foundation/ Rural Development Initiative Leadership Program (5 years term)
2012-present Girl Scout Volunteer

Additional work history and references upon request.

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

Instructions: By using either your tab key or arrow keys, navigate to each field and type in your information. When complete, save the document to your computer and either mail, fax or email to the addresses listed below.

Date: 4/22/2013

Name: Elaina Canutt

Occupation: Certified Public Accountant

Home Address:

Employer: City of Newberg

Position: Financial Analyst-Part-time

Daytime Phone:

Evening Phone: same

E-Mail Address:

For which position are you applying? Budget Committee

What are your community interests (committees, organizations, special activities)? I am involved in my local church.

Experience and educational background: Auditor w/ CPA firm 2 years, Assistant Finance Director 2 years City of Newberg, Part-time Financial Analyst past 10 years w/ City of Newberg

Reason for your interest in this position: To use my professional skills to serve on a public committee and to learn more about the City in which I reside.

List any other City or County positions on which you serve or have served: City of Canby Budget Committee last 7 years.

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: 503.266.4021 Fax: 503.266.7961 Email: 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.

12-4-07

RECEIVED

APR 22 2013

CITY OF CANBY

ORDINANCE NO. 1373

AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 9.48.050 REGARDING NOISE CONTROL EXCEPTIONS AND VARIANCES

WHEREAS, Chapter 9.48.050 of the Canby Municipal Code provides for exceptions and variances for noise control;

WHEREAS, the current language is outdated and does not properly address application and publication notification procedures; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Chapter 9.48.050 of the Canby Municipal Code is amended to read as noted in Exhibit "A". All other sections, not amended in Exhibit "A", shall remain in full force and effect as they presently appear.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, April 17, 2013 and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City Council for final reading and action at a regular meeting thereof on May 1, 2013 commencing at the hour of 7:30 PM in the Council Meeting Chambers located at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, MMC
City Recorder

PASSED on the second and final reading by the Canby City Council at a regular meeting thereof on May 1, 2013 by the following vote:

YEAS_____ NAYS_____

Brian Hodson
Mayor

ATTEST:

Kimberly Scheafer, MMC
City Recorder

2nd Reading

Exhibit "A"

UPDATE TO 9.48 NOISE CONTROL

§ 9.48.050 Exceptions and variances.

- A. Exceptions. The following sounds are exempted from the provisions of this chapter:
1. Sounds caused by the performance of emergency work, vehicles and/or equipment;
 2. Aircraft operations in compliance with applicable federal laws or regulations;
 3. Railroad activities as defined in Subpart A, Part 201 of Title 40, CER of the Environmental Protection Agency's railroad emission standards, incorporated herein by reference;
 4. Sounds produced by sound-amplifying equipment at activities sponsored by Canby School District between 7:00 a.m. and 12:00 p.m. midnight, local time;
 5. Sounds created by refuse pickup operations during the period of 6:00 a.m. to 10:00 p.m., local time;
 6. Sounds created by domestic power tools during the period 7:00 a.m. to 10:00 p.m., local time, provided sound-dissipating devices on tools so equipped are maintained in good repair;
 7. Sounds made by warning devices operating continuously for 5 minutes or less;
 8. Idling motor vehicles, including compressors on refrigerated trailers, within a Gross Vehicle Weight Rating (CVWR) of 8,000 pounds or greater between the hours of 7:00 a.m. to 10:00 p.m., local time, provided they are equipped with an exhaust system which is in good working order and in constant operation;
 9. Sounds created at the Clackamas County Fairgrounds as a result of events sanctioned by the Clackamas County Fair Board;
 10. Sounds caused by business operations in the commercial and industrial zones, provided the sounds result from lawful commercial business activity or manufacturing operations;
 11. Construction activities during the period of 7:00 a.m. to 10:00 p.m., local time, provided equipment is maintained in good repair and equipped with sound dissipating devices in good working order; and
 12. Sounds caused by city maintenance equipment between the hours of 7:00 a.m. and 10:00 p.m.

B. Variances. Any person who owns, controls or operates any sound source which violates any of the provisions of this chapter may apply, in writing, to the City Council for a variance from the provisions. Any person who is planning a noise source which is expected to violate any provision of this chapter may apply to the City Council for a variance from the provisions. Any person granted a variance under this chapter may apply for renewal of that variance upon its expiration. The renewal application shall be processed just as if it was an initial application.

1. Application. An application for a noise variance shall be made on forms provided by the City Recorder's office. The application shall be accompanied by all the required information and fees. If more than one date is being requested for a noise variance at one location, they can be on one application. The written application shall state the provision from which a variance is being sought, the period of time the variance is to apply, the reason for which the variance is sought, and any other supporting information which the City Council may

reasonably require. **A list of property owners and addresses within 200' of the location of the variance shall be provided by the Applicant with the application.**

2. Review Standards. In establishing exceptions or granting variances, the City Council shall consider:

- a. The protection of health, safety and welfare of citizens as well as the feasibility and cost of noise abatement;
- b. The ~~past, present and future patterns of~~ **surrounding type of existing** land uses;
- ~~c. The relative timing of land use changes;~~
- c. The acoustical nature of the sound emitted; and
- d. Whether compliance with the provision would produce a benefit to the public.

3. Time Duration of Variance. Any variance shall be granted for a specific time interval, not to exceed 1 year.

4. Public Notification and Public Hearing.

a. **Public Notice of the Public Hearing shall be published in a newspaper at least 10 days prior to the public hearing.** ~~shall be given in the manner provided for by city ordinance for all variance applications.~~

b. **Notice of the Public Hearing shall be mailed to all property owners within 200' of the location for the variance at least 10 days prior to the public hearing.**

c. The City Council shall hold a ~~A public hearing shall be held~~ before the granting of a variance. ~~if the hearing is requested by any affected party.~~

5. Variances.

a. Conditions for Granting. The City Council may grant specific variances from the particular requirements of any rule, regulation or order, to specific persons, class of persons or specific noise source upon those conditions as it may deem necessary to protect the public health and welfare, if it finds that strict compliance with the rule, regulations or order is inappropriate because of conditions beyond the control of the persons requesting the variance; because of special circumstances which would render strict compliance unreasonable or impractical due to special physical conditions or cause; because strict compliance would result in substantial curtailment or closing down of a business, plant or operation; or because no other alternative facility or method of handling is yet available. Granting of the variance shall not be materially detrimental to other property within the same vicinity and the variance requested shall be the minimum which will alleviate the hardship.

b. Revocation or Modification. A variance granted may be revoked or modified by the City Council after a public hearing held upon not less than 20 days' notice. The notice shall be served upon the holder of the variance by certified mail and all persons who have filed with the City Council a written request for this notification.

6. Emergency and Safety Hazard. In the case of an emergency or safety hazard, the City Administrator or his or her designee may revoke a variance immediately by setting forth the nature of the emergency or hazard in a letter mailed or hand-delivered to the holder of the variance. A public hearing before the City Council shall be held at the next regularly scheduled City Council meeting following the revocation to reverse, affirm or modify the revocation action.

Management Team Meeting Minutes
April 15, 2013
2:00 PM
City Hall Conference Room

In attendance: Greg Ellis, Amanda Zeiber, Renate Mengelberg, Bryan Brown, Kim Scheafer, Bret Smith, Darwin Tramel, Haley Fish, and Joseph Lindsay.

Kim Scheafer

- The City Council had a Work Session two weeks ago and was reminded that they should not be directing staff

Bret Smith

- Attended Police Chief's Conference last week
- Canby Detectives assisted Oregon City in the 9 year child fatality yesterday
- Working with City Attorney on finalizing pawn shop ordinance

Joseph Lindsay

- Working on a street cutting ordinance

Bryan Brown

- Fred Meyer turned in revised drawings for their fuel station application
- Pre-App meeting will be held soon regarding Northwoods Phase II

Darvin Tramel

- Depositions were taken two weeks ago regarding WWTP dryer litigation
- Starting Stormwater Management Plan

Renate Mengelberg

- Garden Spot Run is being postponed due to a conflict with the Canby Fun Run
- Community Response Team is meeting May 1

Haley Fish

- Reviewed General Fund with the City Administrator
- General Fund Departments need to cut 2%
- All requests or inquiries for Finance Staff need to go through Haley

Greg Ellis

- The Agency's questions were answered last week regarding options for the new Library and bonds. Issue will go before the City Council on Wednesday night.

Minutes taken by Kim Scheafer

CITY COUNCIL / URA MEETING FOLLOW-UP ITEMS				
ORIG. CC / URA MTG. DATE	ITEM	STATUS	ASSIGNED TO	TARGET DATE FOR CC OR URA MTG.
	Northwoods Park Playground Construction Contract	Ready for Bid in March	Matilda Deas	May 2013
July 11, 2012	Retail Business Recruitment Update	Begun	Jamie Stickel	TBD
	Dog Park Construction Contract	Engineering underway	Matilda Deas	June 2013
	New Tree Ordinance	Underway	Matilda Deas/Sol Jacobsen	May 2013
July 11, 2012	Main Street Annual Report	Not started	Jamie Stickel	June 12, 2013
	Stormwater Master Plan Adoption	Consultant is working on plan	Darvin Tramel	June 2013
	Buildable Land Needs Study	Analysis underway	Matilda Deas	August 2013
	NE Canby Master Plan	1st meeting in March	Matilda Deas	December 2013
	N Redwood Master Plan	Not started (Need Funding)	Matilda Deas	June 2014

OTHER STAFF ITEMS				
DATE	ITEM	STATUS	ASSIGNED TO	TARGET DATE
	Maintain Police Accreditation - Police	On-Going	Melody Thompson & Lt. Jorge Tro	Next Assessment 2014
	Selling Property Partitioned Next to Maple Street Park (former location of Marshall House)	Waiting for better econmic times to sell property		
	Participate as member of NW Regional Computer Forensic Laboratory - Police	Underway	Bret J. Smith	TBD
	Develop Dept Website - Police	Underway	Melody Thompson & Lt. Jorge Tro	June 2013
	Formalize Volunteer Program - Police	Underway	Melody Thompson & Lt. Jorge Tro	April 2014