



AMENDED GENDA

CANBY CITY COUNCIL REGULAR MEETING

August 17, 2011

7:30 PM

Council Chambers

155 NW 2nd Avenue

Mayor Randy Carson

Council President Walt Daniels

Councilor Richard Ares

Councilor Tim Dale

Councilor Traci Hensley

Councilor Brian Hodson

Councilor Greg Parker

CITY COUNCIL REGULAR MEETING

1. CALL TO ORDER

A. Pledge of Allegiance and Moment of Silence

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 August 3, 2011 City Council Regular Meeting

7. RESOLUTIONS & ORDINANCES

A. Res. 1111, Referring to Electorate a Five Year Local Option Levy for the Swim Center at the Rate of \$0.49 per \$1,000.00 Assessed Value Beginning in FY 2012-2013; and Repealing Resolution 932 Pg. 1

B. Res. 1112, Referring Hope Village, Inc. Annexation of 4 Acres to Voters Pg. 5

8. NEW BUSINESS

9. CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS

10. CITIZEN INPUT

11. ACTION REVIEW

12. EXECUTIVE SESSION: ORS 192.660(2)(h) Pending 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 503.266.4021 ext. 233. 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.

RESOLUTION NO. 1111

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE SUBMITTING TO THE ELECTORATE FOR THE NOVEMBER 8, 2011 ELECTION, A PROPOSED FIVE YEAR, LOCAL OPTION LEVY FOR THE SWIM CENTER AT THE RATE OF \$0.49 PER \$1000.00 ASSESSED VALUE BEGINNING IN FISCAL YEAR 2012-2013; AND REPEALING RESOLUTION NO 932.

WHEREAS, the Canby City Council has determined that there is a need to acquire additional funds to continue to fund the current level of service and provide pool maintenance at the Canby Swim Center for the next five years; and

WHEREAS, ORS 280.040, et. seq., authorizes the City to submit a measure to City voters which, if approved, would allow the City to collect a local option tax levy for operational purposes;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

1. An election is hereby called for the purpose of submitting to the qualified voters of the City the question of authorizing a five-year local option levy in the amount of \$0.49 per \$1000.00 assessed value per year, commencing in fiscal year 2012-2013.
2. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the November 8, 2011 election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by the City.
2. The City Recorder of the City of Canby is further authorized and directed to submit a Summary of the Measure to be placed in the voter's pamphlet explaining in clear and concise language the affect of such ballot measure. Such summary is attached to this Resolution in proper form and adopted by the City.
4. The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the November 8, 2011 election.

IT IS FURTHER RESOLVED, that Resolution No 923 enacted on August 16, 2006 is hereby repealed.

This Resolution shall take effect on August 3, 2011.

ADOPTED this 17th day of August, 2011, by the Canby City Council.

Walt Daniels
Council President

ATTEST:

Kimberly Scheafer, CMC
City Recorder

EXPLANATORY STATEMENT FOR VOTERS PAMPHLET

MEASURE APPROVING A FIVE-YEAR LOCAL OPTION LEVY FOR THE CANBY SWIM CENTER

Measure No. _____

Word Total 298 (500 max)

Since 1970, the Canby Swim Center has provided swimming lessons for all ages, water exercise and therapy classes, lap swimming, water safety training, parent-child classes, the Canby Gators swim club and the Penguin Club (a junior swim team during the summer). The Swim Center is also available for competition swimming and for private rentals.

Currently, funding for the maintenance and operation of the swim center is provided by three sources including fees, concession sales and the five-year Swim Center Levy approved by the voters in 2007. The fees and concession sales provide approximately 32% of the total operating revenue leaving the remaining 68% to be funded by the local option levy. Renewal of this levy would allow the swim center to continue to maintain the present level of service and provide scheduled maintenance for the center for the next five years. Absent the passage of this levy, there is no identified source of additional funding to keep the Swim Center operating.

The Swim Center is currently staffed with a full-time certified Facility Operator, a full time certified Program Manager and a full time Program Coordinator, as well as part-time certified lifeguards and swim instructors.

The levy is based on a fixed rate of \$.49 per \$1000.00 of assessed property value. According to the Clackamas County Tax Assessor, the average home in Canby has a market value of approximately \$253,316.00; however, property taxes are calculated on the home's assessed value of approximately \$187,925.00. Using this example, the increase in property taxes would be approximately \$13.15 over the total property taxes paid for the tax year 2011-2012. The estimated total amount of money to be raised by this tax is \$2,791,553.00 over the five year period. The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor.

CITY OF CANBY

Kimberly Scheafer, CMC
City Recorder

Date

Notice of City Measure Election

SEL 802

rev 01/10: ORS 250.035, 250.041,
250.275, 250.285, 254.095, 254.465

City and Notice Information

Notice is hereby given on August 18, 2011, that a measure election will be held in

City of Canby

Oregon on November 8, 2011.

Name of City or Cities

Date of Election

The following shall be the ballot title of the measure to be submitted to the city's voters:

Caption 10 words

FIVE-YEAR LOCAL OPTION LEVY FOR SWIM CENTER OPERATIONS.

Question 20 words

SHALL THE CITY IMPOSE \$0.49 PER \$1,000.00 OF ASSESSED PROPERTY VALUE FOR FIVE YEARS, 2012-2017, FUNDING SWIM CENTER OPERATIONS?

Summary 175 words

This measure asks Canby voters to approve a five-year local option tax levy for the Canby Swim Center. The additional property tax revenue would be used to fund current swim center services and provide for future pool maintenance. This levy is based on a fixed rate of \$0.49 per \$1,000.00 of assessed property value. The average home in Canby has a market value of \$253,316.00; however, taxes are calculated on the home's assessed value of \$187,925.00 according to the Clackamas County Assessor. Using this example, the increase in property taxes would be approximately \$13.15 over the property taxes paid for the tax year 2011-2012. The levy would be imposed for five years, beginning in fiscal year 2012-2013. Estimated total amount of money to be raised by this tax is \$2,791,553.00 with the estimated amount raised each year as follows:

| | |
|-----------|--------------|
| 2012-2013 | \$525,783.00 |
| 2013-2014 | \$541,566.00 |
| 2014-2015 | \$557,823.00 |
| 2015-2016 | \$574,567.00 |
| 2016-2017 | \$591,814.00 |

The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

Signature of Authorized City Official not required to be notarized

Date Signed mm/dd/yy

Kimberly Scheafer

City Recorder

Printed Name of Authorized City Official

Title

RESOLUTION NO. 1112

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 4 ACRES DESCRIBED AS TAX LOTS 900 AND 1000 OF TAX MAP 4S-1E-4D LOCATED ADJACENT TO THE EAST SIDE OF THE 1600 BLOCK OF S. FIR STREET IN CANBY; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE NOVEMBER 8, 2011 ELECTION.

WHEREAS, the Canby City Council has heretofore approved an application filed by Robert Price on behalf of Hope Village, the owners of tax lots 900 and 1000 of Tax Map 4S-1E-4D, to annex 4 acres into the City of Canby; and

WHEREAS, pursuant to the provisions of the Canby City Charter, the approval of the proposed annexation must be referred to the electorate of the City of Canby for an election; and

WHEREAS, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by September 8, 2011 in order to appear on the ballot for the November 8, 2011 election; and

WHEREAS, pursuant to the Canby Municipal Code, the Canby City Attorney has prepared a Notice of City Measure Election and Summary for Voter's Pamphlet to be submitted to the Elections Department;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

1. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the November 8, 2011 election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by the City.
2. The City Recorder of the City of Canby is further authorized and directed to submit a Summary of the Measure to be placed in the voter's pamphlet explaining in clear and concise language the affect of such ballot measure. Such summary is attached to this Resolution in proper form and adopted by the City.

Notice of City Measure Election

SEL 802

rev 01/10: ORS 250.035, 250.041,
250.275, 250.285, 254.085, 254.465

City and Notice Information

Notice is hereby given on August 18, 2011, that a measure election will be held in

City of Canby

Oregon on November 8, 2011.

Name of City or Cities

Date of Election

The following shall be the ballot title of the measure to be submitted to the city's voters:

Caption 10 words

MEASURE APPROVING ANNEXATION OF 4 ACRES INTO CITY OF CANBY

Question 20 words

SHALL 4 ACRES LOCATED ADJACENT TO THE SOUTH OF HOPE VILLAGE, ON S. FIR STREET, BE ANNEXED INTO CANBY?

Summary 175 words

Annexation is the legal process to bring property into the Canby City limits. Robert Price has filed an application on behalf of Hope Village, the owner of two parcels totaling 4 acres, asking the City to bring them into the City limits. The legal description of the parcels is Tax Lots 900 and 1000 of Tax Map 4S-1E-4D. The tax lots are located adjacent to the southern boundary of Hope Village adjacent to the east side of the 1600 block of S. Fir Street in Canby. This application has been approved by the City Planning Commission following a hearing on July 18, 2011 and further approved by the Canby City Council at its meeting of August 3, 2011. The property is vacant land. It is currently zoned Exclusive Farm Use (EFU) by Clackamas County. Canby's Comprehensive Plan Map designates the property for High Density Residential (R-2) zoning upon annexation. Any future development requires City review and must comply with land use laws.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

Signature of Authorized City Official not required to be notarized

Date Signed mm/dd/yy

Kimberly Scheafer

City Recorder

Printed Name of Authorized City Official

Title

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF 4 ACRES
INTO THE CITY OF CANBY**

Measure No. _____

Word Total 324(500 max)

This measure would approve the annexation of 4 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lots 900 and 1000 of Tax Map 4S-1E-4D and is located generally in the southern part of the City. Tax Lots 900 and 1000 are currently zoned Exclusive Farm Use (EFU) under County zoning. If annexation into the City is approved by the voters, the parcels would be rezoned to R-2, High Density Residential, as required under the City's Comprehensive Land Use Plan (Comp Plan) and Zoning Map.

Tax Lots 900 and 1000 are owned by Hope Village, Inc.. Robert Price has filed the application for annexation into the City of Canby on behalf of Hope Village. The City, following its Charter, has put this matter before the voters for approval.

The parcels are located adjacent to the east side of the 1600 block of S. Fir Street in Canby. The property currently is vacant. Adjacent properties to the south, west and east are outside current city limits. Adjacent property to the north occupied by Hope Village is located within the city limits. Property to the north is zoned for Medium Density Residential. Properties to the south, west and east are zoned Exclusive Farm Use (EFU). As indicated above, the subject property would be rezoned upon annexation approval to R-2, High Density Residential. Under the R-2 zoning regulations, the applicant indicates they would construct up to 66 dwelling units which would be allowed in that zone. Annexation alone does not set the future uses to be built on the property. Any further development would have to comply with state and local land use laws and would be subject to public review.

The Canby Planning Commission unanimously voted to approve the application and the Canby City Council unanimously voted to approve the application and refer it to a vote of the Canby electorate.

CITY OF CANBY

Kimberly Scheafer, CMC
Canby City Recorder

Date

Management Team Meeting Minutes
August 1, 2011
2:00 PM
City Hall Conference Room

In attendance: Greg Ellis, Amanda Klock, Renate Mengelberg, Bryan Brown, Sue Engels, Eric Laitinen, Penny Hummel, Darvin Tramel, and Kim Scheafer.

Kim Scheafer

- Reviewed Agenda for August 10 URA Agenda
- Jorge needs a list of lines of succession for each department

Penny Hummel

- Will be meeting with Councilor Hensley

Renate Mengelberg

- Will be having a booth at the Fair on August 18. Let Ami know if you want to volunteer or have information you want to set out.

Greg Ellis

- First Avenue Redevelopment estimate came in lower than anticipated
- Work Session with City Council on September 21 to review departmental goals/five year plans

Bryan Brown

- Hope Village annexation public hearing will be held Wednesday night
- Researching parking standards on private streets
- Zoar Lutheran Church pre-application meeting is scheduled for August 16
- Researching Learning Tree conditional use permit to see if it can be amended
- Both proposed property locations for the Canby Center need a change of use
- Willamette Valley Country Club would like their bond released for a partition done a few years ago
- Was notified that a parcel is being sold South of Fred Meyer

Darvin Tramel

- A Stormwater Committee meeting will be held on August 16 or 17
- Reviewing Public Works design standards
- Working on hazardous waste survey

Eric Laitinen

- Enrollment for Fall lessons is available on-line
- Pool will be closed September 4-11 for annual maintenance

Sue Engels

- Tentative final end of year numbers should be available by the end of August
- Business license and Transit Caselle modules will be updated this year

Amanda Klock

- Wrapping up insurance changeover this week

Minutes taken by Kim Scheafer