

# AGENDA

## CANBY CITY COUNCIL MEETING

September 3, 2008, 7:30 P.M.

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

*Mayor Melody Thompson*

*Council President Walt Daniels*  
*Councilor Teresa Blackwell*  
*Councilor Paul Carlson*

*Councilor Randy Carson*  
*Councilor Tony Helbling*  
*Councilor Wayne Oliver*

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## CITY COUNCIL 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 20, 2008 City Council Regular Meeting

B. Greater Privilege Liquor License Application for Mike's Place Pg. 1

### 7. RESOLUTIONS & ORDINANCES

A. Ord. 1292, Amending Canby Municipal Code Chapter 13 by Repealing and Replacing Ord. 1153 Regulating the Discharge of Wastes of the City of Canby Sanitary and Storm Sewer Systems, Limiting Such Discharges Only to Those of Acceptable Types, Characteristics, or Concentrations; Establishing a System of Waste Discharge Permits and User Fees; Providing for Enforcement (**2<sup>nd</sup> Reading**)

Pg. 3

B. Ord. 1294, Amending Title 16 of the Canby Municipal Code Concerning Annexation Criteria Pg. 5

C. Ord. 1295, Authorizing Contract with Feeney Wireless for Ten Laptop Computers and Associated Equipment Including Hardware and Software for the Canby Police Department Pg. 19

**8. NEW BUSINESS**

A. Update on Walnut Street LID

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

**10. CITIZEN INPUT**

**11. ACTION REVIEW**

**12. EXECUTIVE SESSION:** ORS 192.660(2)(h) Pending Litigation and ORS 192.660(3) Labor Negotiations

**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](http://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.

# Memo

To: Mayor Thompson & Members of City Council  
From: Chief Greg A. Kroeplin  
CC: Kim Scheafer, General Administration  
Date: August 23, 2007  
Re: Liquor License Application / Mike's Place

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I have reviewed the attached liquor license application completed by the applicant, Hank Hyman, Mike's Place. In addition, I met with Hank Hyman at his business (404 N.W. 1<sup>st</sup> Avenue) where we discussed laws involving the sale of alcoholic beverages. He told me that he would be working closely with OLCC as it relates to training for his employees on pertinent laws involving alcohol related violations and crimes.

I recommend that the Canby City Council recommend approval of this application to the Oregon Liquor Control Commission (OLCC).



# OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

RECEIVED

Rec. 8/18/08 my.  
\$75.00 CK# 6445  
Receipt# 797756

PLEASE PRINT OR TYPE

Application is being made for:		AUG 18 2008	FOR CITY AND COUNTY USE ONLY
<b>LICENSE TYPES</b> <input checked="" type="checkbox"/> Full On-Premises Sales (\$402.60/yr) <input checked="" type="checkbox"/> Commercial Establishment <input type="checkbox"/> Caterer <input type="checkbox"/> Passenger Carrier <input type="checkbox"/> Other Public Location <input type="checkbox"/> Private Club <input type="checkbox"/> Limited On-Premises Sales (\$202.60/yr) <input type="checkbox"/> Off-Premises Sales (\$100/yr) <input type="checkbox"/> with Fuel Pumps <input type="checkbox"/> Brewery Public House (\$252.60) <input type="checkbox"/> Winery (\$250/yr) <input checked="" type="checkbox"/> Other:		<b>ACTIONS</b> <input type="checkbox"/> Change Ownership <input type="checkbox"/> New Outlet <input checked="" type="checkbox"/> Greater Privilege <input type="checkbox"/> Additional Privilege <input type="checkbox"/> Other	
Applying as: <input type="checkbox"/> Limited Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Individuals		The city council or county commission: CITY OF CANBY Canby (name of city or county) recommends that this license be: Granted <input type="checkbox"/> Denied <input type="checkbox"/> By: _____ (signature) (date) Name: Melody Thompson Title: Mayor OLCC USE ONLY Application Rec'd by: <u>  J  </u> Date: 8-12-08 90-day authority: <input type="checkbox"/> Yes <input type="checkbox"/> No	

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① CHAS, INC. ③  
② ④

2. Trade Name (dba): MIKE'S PLACE

3. Business Location: 404 N.W. 1ST AVE CANBY, OREGON 97013  
 (number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: (PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-266-9343 503-266-2204  
 (phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☒ Yes ☐ No

7. If yes to whom: CHAS, INC. Type of License: LIMITED ON PREMISE A

8. Former Business Name: SAME - MIKE'S PLACE

9. Will you have a manager? ☒ Yes ☐ No Name: HANK HYMAN  
 (manager must fill out an individual history form)

10. What is the local governing body where your business is located? CANBY  
 (name of city or county)

11. Contact person for this application: HANK HYMAN (503-266-9343)  
 (name) (phone number(s))  
 (address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:  
 ① [Signature] Date 7-29-08 ③  
 ② Date ④

1-800-452-OLCC (6522)  
 www.oregon.gov/olcc

## ORDINANCE NO. 1292

**AN ORDINANCE AMENDING CHAPTER 13 OF THE CANBY MUNICIPAL CODE BY REPEALING AND REPLACING ORDINANCE NO. 1153, ENACTED DECEMBER 15, 2004, REGULATING THE DISCHARGE OF WASTES TO THE CITY OF CANBY SANITARY AND STORM SEWER SYSTEMS, LIMITING SUCH DISCHARGES ONLY TO THOSE OF ACCEPTABLE TYPES, CHARACTERISTICS, OR CONCENTRATIONS; ESTABLISHING A SYSTEM OF WASTE DISCHARGE PERMITS AND USER FEES; PROVIDING FOR ENFORCEMENT; AND DECLARING AN EMERGENCY.**

### **SECTION 1 - GENERAL PROVISIONS**

#### **1.1 Purpose and Policy**

This Ordinance sets forth uniform requirements for users of Publicly Owned Treatment Works (POTW) for the City of Canby and enables the City to Comply with all applicable State and Federal laws including the Clean Water Act (Act 33 U.S.C. 1251 et seq.), and the General Pretreatment Regulations (40 CFR Part 403) and Oregon Administrative Rules (OAR) Chapter 340. The objectives of this Ordinance are:

- (A) To prevent the introduction of pollutants into the POTW that will interfere with the operation of the POTW;
- (B) To prevent the introduction of pollutants into the POTW, which will pass through the POTW, inadequately treated, into receiving waters or otherwise be incompatible with the POTW;
- (C) To ensure that the quality of the wastewater treatment plant sludge is maintained at a level which allows its use and disposal to be in compliance with applicable statutes and regulations?
- (D) To protect POTW personnel who may be affected by wastewater and sludge in the course of their employment and to protect the general public; and
- (E) To improve the opportunity to recycle and reclaim wastewater and sludge from the POTW;

This Ordinance shall apply to all users of the POTW. The Ordinance authorizes the issuance of wastewater discharge permits; authorizes monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires users reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

## 2ND READING

## SECTION 15 - EFFECTIVE DATE

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on August 20, 2008, 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 September 3, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2<sup>nd</sup> Avenue in Canby, Oregon.

\_\_\_\_\_  
Kimberly Scheafer, CMC  
City Recorder - Pro Tem

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 3<sup>rd</sup> day of September, 2008, by the following vote:

YEAS \_\_\_\_\_

NAYS \_\_\_\_\_

\_\_\_\_\_  
Melody Thompson, Mayor

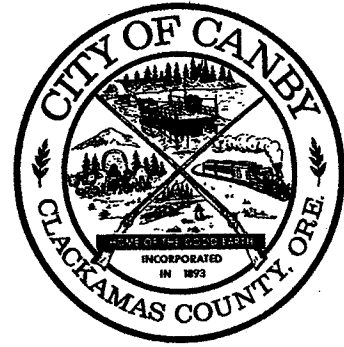
### ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, CMC  
City Recorder - Pro Tem

Approved as to form: \_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

## 2ND READING



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

**TO:** *Honorable Mayor Thompson and City Council*  
**FROM:** *Matilda Deas, AICP, Project Planner*  
**DATE:** *August 25, 2008*  
**THROUGH:** *Mark C. Adcock, City Administrator*

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**Issue:** Ordinance 1294: Adoption of TA 08-03, amendments to Title 16 of Canby Municipal Code concerning annexation criteria.

**Synopsis:** This application contains amendments to the City of Canby's Land Development and Planning Ordinance relating to annexation criteria. The proposed amendments primarily update the City of Canby's annexation criteria by deleting outdated criteria, clarifying existing criteria, and adding new criteria which sets forth requirements for Development Agreements and Development Concept Plans.

**Recommendation:** The Planning Commission unanimously recommended by a vote of 4-0 that the City Council approve TA 08-03 by adopting Ordinance 1294.

**Rationale:** Beginning with Periodic Review in 2003, the City directed staff to initiate a process to review and update annexation criteria to better reflect the needs of the citizens in our growing community. This was accomplished by a series of workshops and discussions that included the City Council, the Planning Commission, Neighborhood Associations, neighboring communities, legal counsel, and a community wide quality of life survey. The proposed code amendments reflect the recommendations from that extensive process.

**Background:** See attached Planning Commission staff report and accompanying Attachment A.

**Attached:**

1. Planning Commission findings, conclusion, and order
2. Attachment A
3. Planning Commission staff report
4. Ordinance 1294

## **ORDINANCE 1294**

### **AN ORDINANCE AMENDING TITLE 16 OF THE CANBY MUNICIPAL CODE CONCERNING ANNEXATION CRITERIA**

**WHEREAS**, amendments to Canby's Land Development and Planning Ordinance concerning annexations are needed to ensure consistency, functionality, and legality; and

**WHEREAS**, the Planning Commission, after providing appropriate public notice, conducted a joint public hearing with the Canby City Council on August 25, 2008 to consider proposed set of Text Amendments to the annexation criteria, during which the citizens of Canby were given the opportunity to present testimony on these proposed changes; and

**WHEREAS**, the Planning Commission found that the standards and criteria of section 16.88.160 of the Land Development and Planning Ordinance, concerning Text Amendments, were met, and unanimously recommended approval to the City Council after making certain modifications; and

**WHEREAS**, the City Council, in its meeting on September 3, 2008, reviewed the Planning Commission's recommendations and findings of fact regarding the subject amendments, and concluded that the Planning Commission's findings of fact and Text Amendments were appropriate; now therefore

#### **THE CITY OF CANBY ORDAINS AS FOLLOWS:**

- 1) The City Council hereby adopts the Planning Commission's Findings of Fact, as detailed in Exhibit A, and approves Text Amendment 08-03; and
- 2) Title 16, the Land Development and Planning Ordinance of the City of Canby, is modified as detailed in Exhibit B.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, September 3, 2008 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 Wednesday, September 17, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers located at 155 NW 2<sup>nd</sup> Avenue in Canby, Oregon.

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Kimberly Scheafer, CMC  
City Recorder Pro-Tem



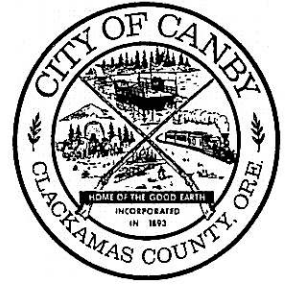
**PASSED** on the second and final reading by the Canby City Council at a regular meeting thereof on September 17, 2008 by the following vote:

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

\_\_\_\_\_  
Melody Thompson, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Scheafer, CMC  
City Recorder Pro Tem



**BEFORE THE PLANNING COMMISSION  
OF THE  
CITY OF CANBY**

<b>A REQUEST FOR AMENDMENTS</b>	)	<b>FINDINGS, CONCLUSION &amp; ORDER</b>
<b>TO THE LAND DEVELOPMENT &amp;</b>	)	<b>TA 08-03</b>
<b>PLANNING ORDINANCE IN ORDER TO</b>	)	<b>(City of Canby)</b>
<b>UPDATE CHAPTERS 16.08 AND 16.84</b>	)	
<b>CONCERNING ANNEXATIONS</b>	)	

**NATURE OF APPLICATION**

This application contains proposed amendments to the City of Canby's Land Development and Planning Ordinance relating to criteria for annexation. The proposed amendments primarily update the City of Canby's annexation criteria by deleting outdated criteria, clarifying existing criteria, and adding new criteria which sets forth requirements for Development Agreements and Development Concept Plans.

**HEARINGS**

The Planning Commission held a joint public hearing with the Canby City Council on August 25, 2008 to consider this application.

**CRITERIA AND STANDARDS**

**Section 16.88.160 – Amendments to text of title**

This is a legislative land use amendment. In judging whether or not this title should be amended, the Planning Commission and City Council shall consider:

1. The Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;
3. Whether the proposed change will serve the public need better than any other change which

**Findings, Conclusions & Order**

**TA 08-03**

**Page 1 of 3**

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might be expected to be made;

4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;
5. Statewide planning goals.

## **FINDINGS AND REASONS**

The Planning Commission, after holding a joint public hearing with the Canby City Council on August 25, 2008, and considering the August 18, 2008 staff report, deliberated and reached a decision approving the text amendment application of TA 08-03. The Commission adopted the findings and conclusions contained in the August 18, 2008 staff report, written in the Order below:

## **CONCLUSION**

The Planning Commission of the City of Canby concludes that:

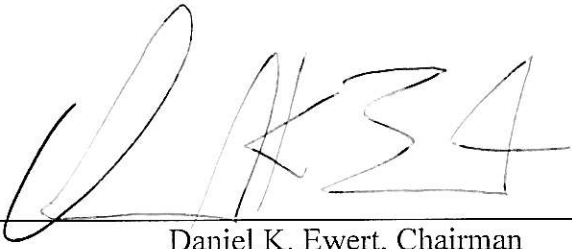
1. The amendment complies with the Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, and will preserve functions and local aspects of land conservation and development.
2. There is a public need for the change.
3. The change will serve the public need better than any other change which might be expected to be made.
4. The change will preserve and protect the health, safety, and general welfare of the residents in the community.
5. The amendment complies with the Statewide Planning Goals.

## **ORDER**

**IT IS RECOMMENDED BY THE PLANNING COMMISSION** of the City of Canby that the Canby City Council approve **TA 08-03**.

**I CERTIFY THAT THIS ORDER** recommending approval of **TA 08-03** to the Canby City Council was presented to and **APPROVED** by the Planning Commission of the City of Canby.

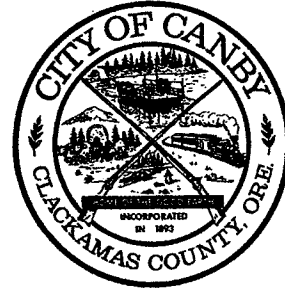
DATED this 25th day of August, 2008.

A handwritten signature in black ink, appearing to read 'DKEWERT', written over a horizontal line.

Daniel K. Ewert, Chairman  
Canby Planning Commission

A handwritten signature in black ink, appearing to read 'Matilda Deas', written over a horizontal line.

Matilda Deas, AICP  
Project Planner



# STAFF REPORT

**TITLE:** A CANBY MUNICIPAL CODE AMENDMENT for the purpose of amending the Land Development & Planning Ordinance (Title 16) in order to update Chapters 16.08 and 16.84 concerning annexation criteria.

**APPLICANT:** City of Canby

**FILE #:** TA 08-03

**STAFF:** Matilda Deas, AICP, Project Planner

**REPORT DATE:** August 18, 2008

**HEARING DATE:** August 25, 2008

## I. APPLICATION SUMMARY

This application contains proposed amendments to the City of Canby's Land Development and Planning Ordinance relating to criteria for annexation. These amendments are the result of a lengthy process that began in 2003 as part of the City's Periodic Review process. The process involved numerous discussions and workshops with Councilors, Commissioners, Neighborhood Associations, neighboring communities and legal Counsel, as well as a community wide quality of life survey.

## II. APPLICABLE CRITERIA

### *Section 16.88.10 Amendments to text of title*

This is a legislative land use amendment. In judging whether or not this title should be amended, the Planning Commission and City Council shall consider:

1. The Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, in order to preserve functions and local aspects of land conservation and development;
2. A public need for the change;

3. Whether the proposed change will serve the public need better than any other change which might be expected to be made;
4. Whether the change will preserve and protect the health, safety and general welfare of the residents in the community;
5. Statewide planning goals.

### **III. PROPOSED AMENDMENTS**

The proposed amendments primarily update the City of Canby's annexation criteria by deleting outdated criteria, clarifying existing criteria, and adding new criteria which sets forth requirements for Development Agreements and Development Concept Plans.

Staff has attached the proposed code amendments (see Attachment A). Deleted text is illustrated in ~~strikeout font~~, while added text is illustrated in green font.

### **IV. FINDINGS AND CONCLUSIONS**

1. Staff concludes that the proposed amendment complies with the Comprehensive Plan of the city, and the plans and policies of the county, state, and local districts, and will preserve functions and local aspects of land conservation and development.
2. Staff concludes that there is a public need for the change.
3. Staff concludes that the proposed change will serve the public need better than any other change which might be expected to be made.
4. Staff concludes that the proposed change will preserve and protect the health, safety, and general welfare of the residents in the community.
5. Staff concludes that the proposed amendment complies with the Statewide Planning Goals.

### **V. RECOMMENDATION**

Based upon previous public meetings and the findings and conclusions stated in this report, and without benefit of a public hearing on the matter, staff recommends that the Planning Commission recommend approval of TA 08-03 to the City Council.

### **VI. NEXT STEPS**

1. Following close of public hearing, Planning Commission will make a recommendation to the City Council concerning adoption of the proposed text amendment, including recommended findings;

2. The City Council will make their decision based on the record of the Planning Commission's joint public hearing and deliberations, but is not required to hold a new public hearing (though the Council may hold such a hearing if it so chooses).

## **VII. ATTACHMENTS**

- A. Proposed Amendments
- B. City of Canby Annexation Development Map
- C. TA 08-03 PC Findings

## EXHIBIT "B"

New code=**bold green**

Deleted old code=~~strikethrough~~

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### 16.08.40 Zoning of annexed areas.

~~An area annexed to the city shall be automatically classified in the zone which best conforms to the land use map of the Comprehensive Plan. Such~~ **Zoning of newly annexed areas** shall be considered by the Planning Commission in its review and by the council in conducting its public hearing for the annexation. (Ord. 740 section 10.3.05(D), 1984)

### 16.84.030 Filing procedures

- B. Application Submittal.** Application procedures shall be as described in Chapter 16.89, **on forms provided by the Planning Department.** (ORD. 899 section 6, 1993; Ord. 740 section 10.6.30, 1984; Ord. 981 section 36, 1997; Ord. 1019 section 18-20, 1999; Ord. 1080 , 2001; Ord 1237, 2007.

### 16.84.010 Purpose.

It is the purpose and general intent of this division to delineate the appropriate procedures to be followed to annex territory to the city. It is recognized that alterations to the corporate limits are major land use actions affecting all aspects of city government including taxation, the provision of public services, land use patterns, vehicular circulation, etc. Decisions on proposed annexations are, therefore, of critical importance to the city. The procedures and standards established in this chapter are required for review of proposed annexations in order to:

- A.** Provide adequate public information and sufficient time for public review before an annexation election;
- B.** Maximize citizen involvement in the annexation review process;
- C.** Establish a system for measuring the physical, environmental, and related social effects of proposed annexations; and
- D.** Ensure adequate time for staff review. (Ord. 740 section 10.6.10, 1984; Ord. 981 section 35, 1997)

### 16.84.040 Standards and criteria.

- ~~**A.** When reviewing a proposed annexation of territory, the commission shall give ample consideration to the following standards and criteria:~~



**A. The following criteria shall apply to all annexation requests.**

~~1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan). Areas designated as Type A urbanization lands shall be annexed prior to those areas shown as Type B, etc. Annexation which is not in keeping with the phased growth concept shall only be permitted when the following findings are made:~~

**1. The City of Canby Annexation Development Map shall determine which properties are required to submit either:**

- a. A Development Agreement (DA) binding for all properties located within the boundaries of a designated DA area as shown on the City of Canby Annexation Development Map. The terms of the Development Agreement may include, but are not limited to:**
  - 1. Timing of the submittal of an application for zoning**
  - 2. Dedication of land for future public facilities including park and open space land**
  - 3. Construction of public improvements**
  - 4. Waiver of compensation claims**
  - 5. Waiver of nexus or rough proportionality objections to future exactions**
  - 6. Other commitments deemed valuable to the City of Canby**

**For newly annexed properties that are within the boundaries of a DA area as designated on the City of Canby Annexation Development Map: A Development Agreement shall be recorded as a covenant running with the land, binding on the landowner's successors in interest prior to the City Council granting a change in zoning classification.**

- b. A Development Concept Plan (DCP) binding for all properties located within the boundaries of a designated DCP area as shown on the City of Canby Annexation Development Map. A Development Concept Plan shall address City of Canby infrastructure requirements including:**

- 1. Water**
- 2. Sewer**
- 3. Stormwater**
- 4. Access**
- 5. Internal Circulation**
- 6. Street Standards**
- 7. Fire Department requirements**
- 8. Parks and open space**

**For newly annexed properties that are within the boundaries of a DCP area as designated on the City of Canby Annexation Development Map: A Development Concept Plan shall be adopted by the Canby City Council prior to granting a change in zoning classification.**

- ~~a. Appropriateness of the annexation in terms of timing for city growth and development;~~
- ~~b. There will be some special benefit to the city overall as a result of the annexation which would not occur if the phased growth pattern was followed;~~
- ~~c. The annexation will result in no adverse impacts on the city's planned provision of public facilities and services.~~

~~The burden of proving the appropriateness of the annexation is greatest for those proposals which are least in keeping with the phased growth concept;~~

2. Analysis of the need for additional property within the city limits shall be provided. The analysis shall include the amount of developable land (within the same class of zoning - low density residential, light industrial, etc.) Currently within the city limits; the approximate rate of development of those lands; and how the proposed annexation will affect the supply of developable land within the city limits. A supply of developable residential land to provide for the anticipated population growth over the following three years is considered to be sufficient;

~~3. Smaller non-farm land shall be considered a priority for annexation over larger farm land;~~

**3. Statement of potential physical, aesthetic and related social effects of the proposed development on the community as a whole and on the neighborhood of which it will become a part; and proposed actions to mitigate identified concerns, if any. A neighborhood meeting is required as per Table 16.89,020 of the City of Canby Land Development and Planning Ordinance.**

~~4. Access shall be adequate to the site;~~

**4. Statement of availability, capacity and status of existing water, sewer, drainage, transportation, park and school facilities;**

~~5. Adequate public facilities and services shall be available to service the potential (or proposed) development;~~

**5. Statement of increased demand for such facilities to be generated by the proposed development, if any, at this time;**

**6. Statement of additional facilities, if any, required to meet the increased demand and any proposed phasing of such facilities in accordance with projected demand;**

**7. Statement outlining method and source of financing required to provide additional facilities, if any;**

~~8. Risk of natural hazards which might be expected to occur on the subject property shall be identified;~~

**8. Statement indicating the type and nature of any comprehensive Plan text or map amendments or Zoning text or map amendments that may be required to complete the proposed development.**

9. Compliance with other applicable city ordinances or policies;

10. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. ~~(In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.);~~

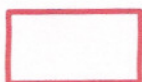
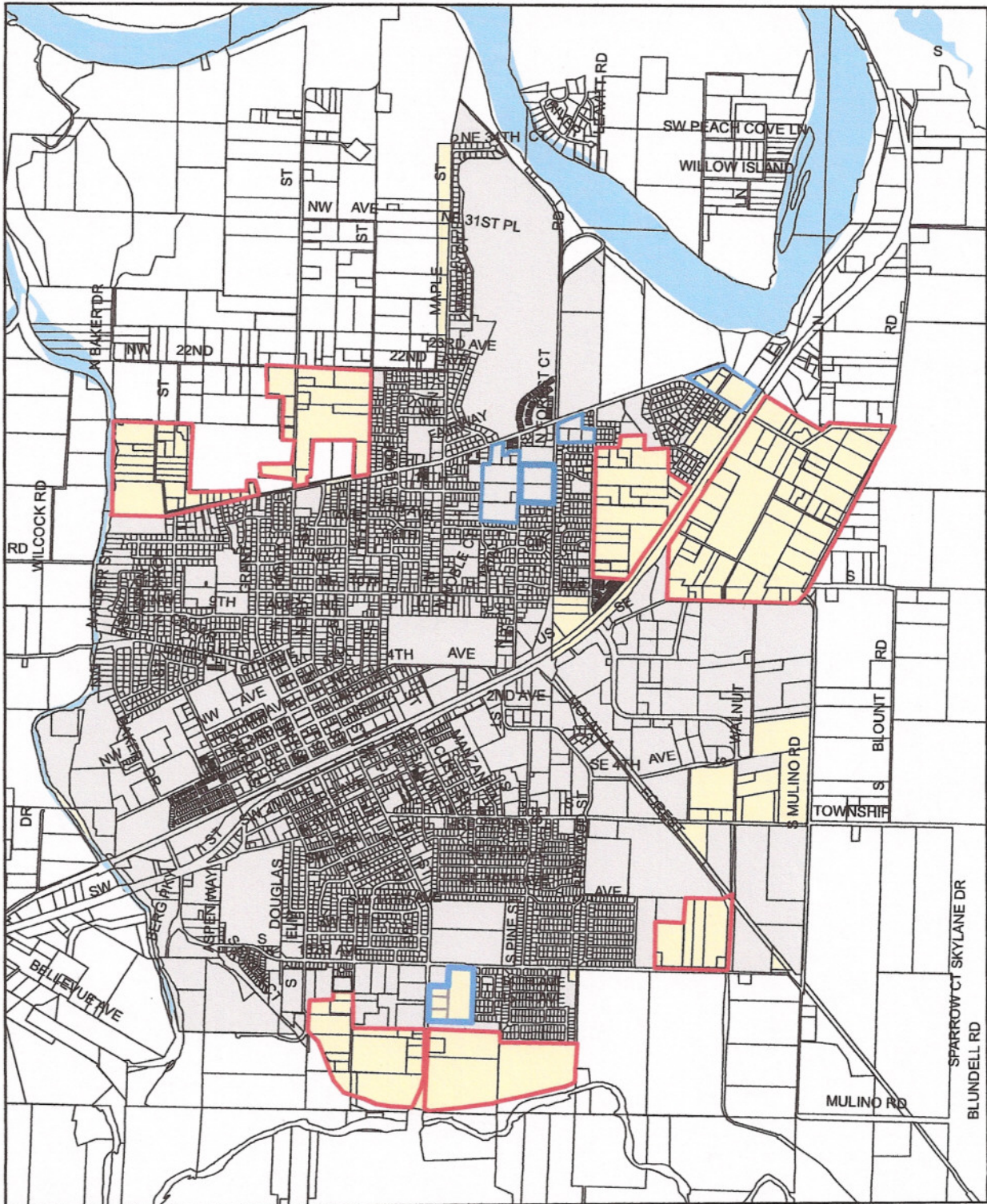
~~9. Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas;~~

~~10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole.~~

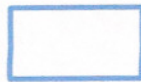
~~B. If the proposed annexation involves property beyond the city's Urban Growth Boundary, or if the annexation is proposed prior to the acknowledgment of compliance of the city Comprehensive Plan by the state Land Conservation and Development Commission (LCDC), the proposal shall be reviewed for compliance with the Statewide Planning Goals. (Ord. 740 section 10.6.40, 1984; Ord. 981 section 37, 1997)~~



# City of Canby Annexation Development Map

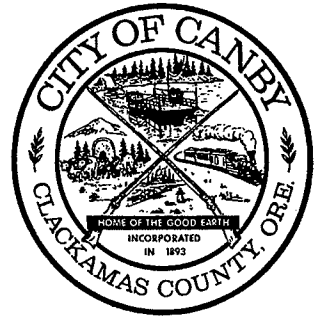


Development Concept Area



Development Agreement Area

# MEMORANDUM



**TO:** *Honorable Mayor Thompson and City Council*  
**FROM:** *Lt. Jorge Tro*  
**THROUGH:** *Mark C. Adcock, City Administrator*  
**DATE:** *August 25, 2008*

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Issue: Purchase of 10 Panasonic CF-30 Toughbook Laptop Computers for patrol vehicles.

Rationale: The purchase of these Panasonic Toughbook Laptops will replace the existing computers in the patrol vehicles. The current computers are approximately 5 years old and are in need of replacement. Police officers use these computers for a variety of tasks including: receiving dispatched calls, report writing, criminal record checks and DMV checks.

Background: The Panasonic Toughbook Computers are not on the state bid program. Sgt Tim Sommer obtained three (3) quotes for the computers and mounting hardware (attached). Feeney Wireless out of Eugene Oregon had the lowest quote of \$52,523.52. These computers and hardware will be purchased from the Computer Reserve line item as approved in the adopted 2008/2009 budget.

Recommendation: Chief Greg Kroeplin and I recommend the approval of the attached City Ordinance #1295 allowing the Mayor and City Administrator to purchase 10 Panasonic CF-30 Laptop Computers and Mounting Hardware from Feeney Wireless in the amount of \$52,523.52.

THIS HAS BEEN REVIEWED  
BY THE FINANCE DIRECTOR  
*Steve Engle*

**ORDINANCE NO. 1295**

**AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH FEENEY WIRELESS OF EUGENE, OREGON FOR TEN (10) LAPTOP COMPUTERS AND ASSOCIATED EQUIPMENT INCLUDING HARDWARE AND SOFTWARE FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Canby wishes to purchase laptop computers for use in its police patrol vehicles, and

**WHEREAS**, the cost of the computers will be paid from funds budgeted and approved for this purpose in the 2008-2009 fiscal year budget; and

**WHEREAS**, in accordance with ORS Chapter 279 and Canby Public Purchasing Rules as set forth in Ordinance No. 1170 and Resolution No. 897, three written bids were obtained for the laptops:

- |  |             |
|--|-------------|
| 1. Feeney Wireless of Eugene, OR           | \$52,523.52 |
| 2. Group Mobile of Chandler, AZ            | \$52,840.00 |
| 3. Portable Computer Systems of Denver, CO | \$54,798.50 |

**WHEREAS**, Feeney Wireless submitted the lowest quote of \$52,523.52 for the laptop computers; and

**WHEREAS**, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this quote, reviewed the staff report and believes it to be in the best interest of the City to contract with Feeney Wireless of Eugene, Oregon to purchase the laptop computers; and

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

Section 1. The Mayor and/or City Administrator are hereby authorized and directed to make, execute and declare in the name of the City of Canby and on its behalf, an appropriate contract with Feeney Wireless of Eugene, Oregon to purchase ten (10) laptop computers for the Canby Police Department for a total of \$52, 523.50.

Section 2. In so much as it is in the best interest of the citizens of the City of Canby, Oregon to provide the Canby Police Department with the laptop computers without further delay, and to better serve the citizens of Canby, an emergency is hereby declared to exist and this ordinance shall therefore take effect immediately upon its enactment after final reading.

**SUBMITTED** to the Canby City Council and read the first time at a regular meeting thereof on September 3, 2008, 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 September 17, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2<sup>nd</sup> Avenue in Canby, Oregon.

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Kimberly Scheafer, CMC  
City Recorder - Pro Tem

**PASSED** on second and final reading by the Canby City Council at a regular meeting thereof on the 17<sup>th</sup> day of September, 2008, by the following vote:

YEAS \_\_\_\_\_

NAYS \_\_\_\_\_

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Melody Thompson, Mayor

**ATTEST:**

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Kimberly Scheafer, CMC  
City Recorder - Pro Tem