

AGENDA

CANBY CITY COUNCIL MEETING

December 17, 2008, 7:30 P.M.

Council Chambers
155 NW 2nd Avenue

Mayor Melody Thompson

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

*Councilor Randy Carson
Councilor Tony Helbling
Councilor Wayne Oliver*

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 December 3, 2008 City Council Regular Meeting

7. RESOLUTIONS & ORDINANCES

- A. Ord. 1299, Amending Canby Municipal Code Chapters 16.04, 16.35, 16.42, 16.52, 16.53, and 16.89 for the Purpose of Amending Sign Regulations (**2nd Reading**) Pg.1
- B. Ord. 1300, Authorizing Contract with SightLines Park and Playground Products to Purchase Replacement Bleachers for Maple Street Park (**2nd Reading**) Pg. 3
- C. Ord. 1301, Authorizing Contract for Purchase of Thirty-Four and One-Half Acres of Real Property for Future Expansion of the Wastewater Treatment Facility and Future Park Land (**2nd Reading**) 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.

ORDINANCE NO. 1299

AN ORDINANCE AMENDING CANBY MUNICIPAL CODE CHAPTERS 16.04, 16.35, 16.42, 16.52, 16.53, AND 16.89 FOR THE PURPOSE OF AMENDING SIGN REGULATIONS.

WHEREAS, the City of Canby initiated an application (application no. TA-08-04) for an amendment to the text of Title 16 for the purpose of amending Canby's sign codes; and

WHEREAS, City's Economic Development Manager formed and worked with a citizen committee to create a recommendation for amending Canby's sign codes; and

WHEREAS, the Planning Commission held a public hearing concerning the text amendment application on November 24, 2008, and based on their determination that the proposed amendment met all required approval criteria, voted 5-0 to forward a recommendation of approval to City Council; and

WHEREAS, the City Council received the text amendment application and Planning Commission recommendation for their consideration on December 03, 2008, and voted to approve Text Amendment No. TA 08-04 as presented, based on the findings in the Council staff report, and directed staff to present Council with an ordinance for adoption; and

WHEREAS, this ordinance is for the purpose of codifying Text Amendment No. TA 08-04 into law, a copy of which is attached hereto as Exhibit A and by this reference incorporated herein; now therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Title 16 of the Canby Municipal Code, otherwise known as the "Land Development and Planning Ordinance of the City of Canby", is amended as set forth in the attached Exhibit A.

2nd Reading

SUBMITTED to the Canby City Council and read the first time at a regular meeting therefore on Wednesday, December 03, 2008, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and scheduled for second reading before the City Council for final reading and action at a regular meeting thereof on Wednesday, January 07, 2009, commencing at the hour of 7:30 pm at the Council Meeting Chambers located at 155 N.W. 2nd Avenue, 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 7th of January, 2009, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder Pro-Tem

2nd Reading

ORDINANCE NO. 1300

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SIGHTLINES PARK AND PLAYGROUND PRODUCTS TO PURCHASE REPLACEMENT BLEACHERS FOR MAPLE STREET PARK AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby wishes to replace the bleachers at Maple Street Park, and

WHEREAS, the cost of the replacement bleachers will be paid by the Parks Department with 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 quotes were obtained for the bleachers:

- | | |
|--|-------------|
| 1. SightLines Park and Playground Products | \$25,966.00 |
| 2. Recreation Resources | \$26,216.00 |
| 3. Ross Recreation Equipment | \$52,460.00 |

WHEREAS, SightLines Park and Playground Products submitted the lowest quote of \$25,966.00 for the specified bleachers; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this bid, reviewed the staff report and believes it to be in the best interest of the City to contract with SightLines Park and Playground Products for said bleachers.

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 SightLines Park and Playground Products to purchase replacement bleachers for the Parks Department for a total of \$25,966.00.

Section 2. In so much as it is in the best interest of the citizens of the City of Canby, Oregon to provide the Parks Department with the afore mentioned bleachers 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 December 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 December 17, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2nd 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 17th day of December, 2008, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder - Pro Tem

ORDINANCE NO. 1301

AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF THIRTY-FOUR AND ONE-HALF (34.5) ACRES OF REAL PROPERTY FOR FUTURE EXPANSION OF THE WASTEWATER TREATMENT FACILITY AND FUTURE PARK LAND; AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. Purchase Authorized. The Canby City Administrator is hereby authorized and directed to make, execute and declare in the name of the City of Canby and on its behalf, a contract with Three Sisters Ranch LLC for the purchase of the following described real property for expansion of the City's Wastewater Treatment facility and future park land:

Tax Lot 300 of T3 R1 E, SE 27, in the County of Clackamas and State of Oregon consisting of approximately thirty-four and one-half (34.5) acres.

Section 2. Purchase Price. The total purchase price to be the sum of Seven Hundred Fifty Thousand and no/100 dollars (\$750,000.00). The total price is to be paid in full at closing. A copy of the Sale Agreement and Receipt for Earnest Money entered into between the parties is attached hereto and marked as Exhibit "A" thereto. The City Administrator is authorized to complete the transaction according to the terms of Exhibit "A".

Section 3. Budgeted Funds to Pay Purchase Price. The purchase price is to be paid from the City's current fiscal budget line item number 306-318-434-7810, entitled "Sewer Project Reserve" account.

Section 4. City Attorney to Approve Title Report and Deed. The City Attorney shall first approve the preliminary title report and form of deed for the City's purchase of said property. Purchase price insuring the City's vendee interest in said property is to be furnished at the expense of the buyer and free and clear of all liens or encumbrances except for the usual printed exceptions.

Section 5. City Administrator to Execute Deed. The City Administrator or his designee is hereby authorized and directed to execute and deliver in the name of and on behalf of the City of Canby, as purchaser, the required deed and any other documents as may be required for closing the transaction.

Section 6. Emergency Declared. Inasmuch as it is necessary to proceed as quickly as possible with the purchase of this property and closing of the transaction for the use and benefit of the City, and for the general welfare of the residents, an emergency is hereby declared to exist and this ordinance shall take effect immediately after final reading and enactment by the Canby City Council.

SUBMITTED to the Canby City Council and read the first time at a special meeting thereof on December 10, 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 December 17, 2008, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at 155 NW 2nd 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 17th day of December, 2008, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, CMC
City Recorder - Pro Tem