

AGENDA

CANBY CITY COUNCIL MEETING

September 19, 2007, 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
- B. POW/MIA Recognition Day Proclamation

Pg.1

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 29, 2007 City Council Work Session
- B. Approval of Minutes of the September 5, 2007 Regular Meeting
- C. Canby Lanes, Inc. Change of Ownership Liquor License Application

Pg. 2

7. PUBLIC HEARING

- A. APP 07-01 JBS Estates (Staff Report to be available 9/17/07)

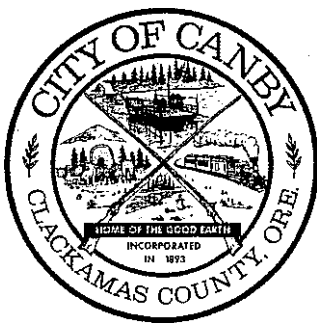
Pg. 4

8. RESOLUTIONS & ORDINANCES

- A. Ord. 1249, Authorizing Contract with Curran-McLeod, Inc. for Engineering Services on an Approximately 1,850' Extension of Sequoia Parkway and Approximately 750' of Improvements to S. Township Rd. (2nd Reading) Pg. 57
- B. Ord. 1255, Authorizing Contract with Withnell Motor Company for the Purchase of Two 2008 Dodge Charger Vehicles with Police Packages for the Canby Police Department (2nd Reading) Pg. 59

- 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 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.



Office of the Mayor

Proclamation

POW/MIA RECOGNITION DAY

WHEREAS, The United States of America has participated in many wars, calling upon its sons and daughters to fight for their country; and

WHEREAS, Over 125,000 American men and women have been held captive by hostile powers during their military service; and

WHEREAS, Many American prisoners of war were subjected to harsh and inhumane treatment by their captors which often resulted in death; and

WHEREAS, Over 88,000 Americans are still listed as missing and unaccounted for, and the families and friends of these missing Americans, as well as their fellow veterans, still endure uncertainty concerning their fate; and

WHEREAS, The sacrifices of Americans still missing are deserving of national recognition and support for continuing priority efforts to determine their fate; and

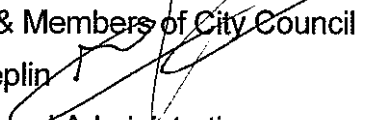
WHEREAS, the City of Canby is proud to join with other cities in the State of Oregon and nation in honoring those still missing.

NOW, THEREFORE, I, Melody Thompson, Mayor of the City of Canby, hereby proclaim September 21, 2007 as POW/MIA Recognition Day in Canby and encourage all citizens to join in this observance.

Given unto my hand this 19th day of September, 2007.

Melody Thompson
Mayor

Memo

To: Mayor Thompson & Members of City Council
From: Chief Greg A. Kroeplin 
CC: Kim Scheafer, General Administration
Date: September 7, 2007
Re: Liquor License Application / Canby Lanes, Inc.

I have reviewed the attached liquor license application completed by the applicants, Terry Pierce and Kathy Holmes. In addition, Lt. Tro met with the applicant, Kathy Holmes, at the business (145 SW 1st Avenue) where we discussed laws involving the sale of alcoholic beverages. Ms. Holmes told Lt. Tro that she would be working closely with OLCC as it relates to training for her 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

REQUEST 90 DAY TEMP
Rec. 9/4/07
\$7500 CK#10007 myjak
Receipt# 1994



PLEASE PRINT OR TYPE **RECEIVED**

Application is being made for **SEP 04 2007**

LICENSE TYPES

- ☒ Full On-Premises Sales (\$402.60/yr)
☐ Commercial Establishment
☐ Caterer
☐ Passenger Carrier
☐ Other Public Location
☐ Private Club
☒ Limited On-Premises Sales (\$202.60/yr)
☐ Off-Premises Sales (\$100/yr)
☐ with Fuel Pumps
☐ Brewery Public House (\$252.60)
☐ Winery (\$250/yr)
☐ Other: _____

ACTIONS

- ☒ Change Ownership
☐ New Outlet
☐ Greater Privilege
☐ Additional Privilege
☒ Other CIN

P17901
L 90609

Applying as:

- ☐ Individuals ☐ Limited Partnership ☒ Corporation ☐ Limited Liability Company

FOR CITY AND COUNTY USE ONLY

The city council or county commission:

City of Canby

(name of city or county)

recommends that this license be:

Granted ☐

Denied ☐

By: _____

(signature)

(date)

Name: Melody Thompson

Title: Mayor

OLCC USE ONLY

Application Rec'd by: C. Ellis

Date: 9-24-07

90-day authority: ☒ Yes ☐ No

1. Applicant(s): [See SECTION 1 of the Guide]

- ① CANBY LANES, INC ③ _____
② _____ ④ _____

2. Trade Name (dba): CANBY LANES

3. Business Location: 145 SW. 1ST AVE CANBY OREGON 97013
(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: PO BOX 2796 OREGON CITY OR 97045
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-266-1918
(phone) (fax)

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

7. If yes to whom: CANBY BOWL INC Type of License: LIMITED ON PREMISES

8. Former Business Name: CANBY BOWL

9. Will you have a manager? ☐ Yes ☒ No Name: _____
(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: TERRY PIERCE
(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:

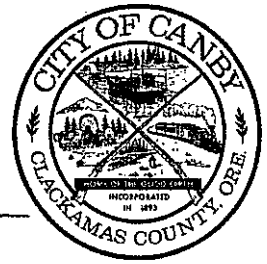
① Terry Pierce Date 8-15-07 ③ Kept letter Date 8/15/07
② Nancy Hoerner Date 8-16-07 ④ Juanita Date 8/15/07

1-800-452-OLCC (6522)
www.olcc.state.or.us

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MEMORANDUM

TO: *Honorable Mayor Thompson and City Council*
FROM: *John R. Williams, Community Development & Planning Director*
John Kelley, City Attorney
THROUGH: *Mark C. Adcock, City Administrator*
DATE: *September 11, 2007*



A public hearing has been scheduled for the September 19, 2007 Council meeting to hear Appeal 07-01, an appeal of the Planning Commission's decision regarding Subdivision 07-01. City Attorney Kelley and I are waiting for additional information from the attorneys in this case and thus will not have the staff report completed at this time. Our staff report will be delivered to the Council on Monday.

We are including background material at this time for your review including the Planning Commission findings, minutes, staff report, application, and exhibits.

Appeal of Planning Commission's Decision

APPEAL FORM
Of a Planning Commission Decision
To the City Council
Fee \$1,920

APPELLANT

Name: J.B.S. Estates, LLC

Address: 2865 Rosecliff Court

City: Lake Oswego

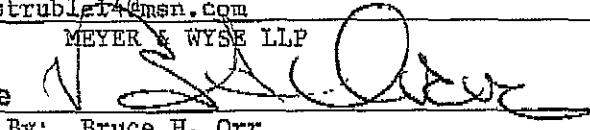
State: Oregon

Zip: 97035

E-mail: jstrubler14@msn.com

MEYER & WYSE LLP

Signature



Phone: (503) 635-4088

By: Bruce H. Orr

File Number of Development Being Appealed: Sub 07-01

Please indicate what format you would like to receive correspondence (i.e. staff reports, etc)



Email



US Postal



Fax

INSTRUCTIONS TO APPELLANT

All materials must be submitted in .pdf format on CD

The written statement of appeal, typed or printed and electronically in MS Word format, shall clearly state the nature of the decision being appealed and the reasons why the appellant is aggrieved. The reasons why the appellant is aggrieved shall be provided in regards to the criteria and standards in 16.88.140 (C).

STANDARDS AND CRITERIA FOR APPEAL

In considering an appeal, the Council shall utilize the record of the Commission in the matter and shall hear arguments only upon the content of that record without conducting a new public hearing or permitting new evidence. The Council's action on an appeal shall be governed by the same general regulations, standards, and criteria as apply to the Commission in the original consideration of the application. The Council shall overturn the decision of the Commission only where one or more of the following findings is made:

1. That the Commission did not correctly interpret the requirements of this title, the Comprehensive Plan, or other requirements of law;
2. That the Commission did not observe the precepts of good planning as interpreted by the Council;
or
3. That the Commission did not adequately consider all of the information which was pertinent to the case.

SCOTT C. WYSE
JOSHUA KADISH
BRUCE H. ORR *
HELEN RIVES PRUITT *
JAMES E. BARTELS
NICHOLAS FISH
CHARLES J. PRUITT *
DAVID I. BEAN
JENNIFER NETH WARBERG

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ROGER L. MEYER
Of Counsel

PARALEGALS:
SANDRA L. ENTLER
DENNIS R. WINSLOW

Direct Telephone: (503) 517-8115

August 7, 2007

By email

City of Canby
City Council
Attn: Jill Thorn

RE: Appeal by J.B.S. Estates, LLC with respect to SUB 07-01 ("Applicant").

Dear Jill:

Per our discussion today, this letter will confirm that I have been retained and authorized by J.B.S. Estates, LLC to sign and file the Appeal Form and Statement of Appeal that is being E-mailed to you with this letter. I understand that with this letter the City of Canby will allow this office to file the Appeal Form and notice of appeal for J.B.S. Estates, LLC. If I am incorrect, please contact me immediately. Thank you.

Very truly yours,

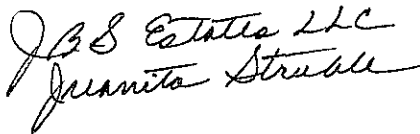


Bruce H. Orr

Attachments

c: J.B.S. Estates, LLC

File\STR\Accor\August 7 wpd



JBS Estates LLC
Juanita Struble

WRITTEN STATEMENT OF APPEAL

Appellant is the applicant with respect to SUB 07-01 ("Applicant"). The Commission approved the Applicant's application for a subdivision after adding certain conditions not required in the Staff Report. The additional conditions were included in the paragraphs 12 and 13 of the Commission's Findings.

Appellant is appealing the Commission's decision to require the conditions added to paragraphs 12 and 13 of the Commission's Order. There was no, or insufficient evidence to support the Commission's additional finding that it made to justify the additional conditions, and it improperly added the conditions that it did.

1. By amending paragraphs 12 and 13 to require the Applicant do those things required in the amendments, including imposing the partition and dedication requirements set forth in those paragraphs, and specifically requiring the dedication of property to allow for the reconfiguring of S. Walnut Street, the Commission failed to adequately justify the required dedications under the test announced in *Dolan v. City of Tigard*, 512 US 374, 114 S Ct 2309, 129 L Ed 2d 304 (1994). The Commission failed to show that its exactions were roughly proportional to the legitimate needs that the Commission found would be created by the proposed partition/development. In *Dolan*, the Supreme Court held that an exaction of real property may be sustained only when the exacting government demonstrates (1) that there is an "essential nexus" between the government's demand on the property owner and the harm addressed by the exaction, and (2) that the exaction is "roughly proportional" to the effects of the development. The Commission did not do that.

2. There was insufficient evidence presented to the Commission on the record to justify or support the Commission's finding that there is a need for a local improvement district and that Petitioner's proposed partition will both contribute to the need for those improvements and be benefitted by them. Accordingly, the Commission improperly has required that Applicant sign a waiver of remonstrance and that Applicant must also have others sign a waiver of remonstrance.

3. There was not sufficient evidence in the record for the Commission to make the additional finding that it did as set forth at pages 1 and 2 of the Findings.

4. The additional finding made by the Commission as set forth at pages 1 and 2 of the Findings is wrong.

5. The additional finding made by the Commission as set forth at pages 1 and 2 of the Findings is wrong because it contradicts and is refuted by the findings made by the Commission and the City when Subdivision SUB 05-02 (Burden) was approved in 2005. See Findings, Conclusions and Final Order SUB 05-02 (Burden). The Findings made with respect to SUB 05-02 (Burden) specifically include a finding that the parcels described in the Commission's additional finding are developable. There was no evidence presented to the Commission that suggested that the prior findings were wrong or that circumstances had changed in any way that would call the Findings made in 2005 into question. The Findings in 2005 are binding upon the Commission and the City.

6. The recommendation made by the City Planner as set forth in paragraphs 12 and 13 of his Report were fair, reasonable and sought to allow the current development to go forward but still preserve for a later date the resolution or alteration of S. Walnut Street to be a condition to any actual building on or future development of the 4 acre parcel that would be created by the

proposed subdivision.

7. The Commission erred and was wrong to the extent that it concluded the subdivision proposed by Applicant did not meet the requirements of the third of the standards and criteria for the subdivision as set forth in City of Canby Code Section 16.62.020.

8. The Commission decision should be reversed because:

a. The Commission did not correctly interpret the requirements of this the City's Code, the City's Comprehensive Plan, or other requirements of law;

b. The Commission did not observe the precepts of good planning as interpreted by the Council; or

c. The Commission did not adequately consider all of the information which was pertinent to the case.

For Appellant:

MEYER & WYSE, LLP

Bruce H. Orr, OSB #81329
Phone: 503.228.8448
E-mail: bho@meyerwyse.com

Extension of 120 Day Rule

SCOTT C. WYSE
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HELEN RIVES PRUITT *
JAMES E. BARTELS
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August 23, 2007

By email, fax (503.266.1574) and regular mail on August 23

John R. Williams
Community Development &
Planning Director
City of Canby, OR

RE: Appeal by J.B.S. Estates, LLC with respect to SUB 07-01 ("Applicant"):
Request for a 14-day extension to the 120-day period under ORS 227.178(5) in
order to move the hearing date to September 19, 2007

Dear Mr. Williams:

As you know, this office represents J.B.S. Estates, LLC with respect to its appeal of the decision by the Planning Commission concerning SUB 07-01, a sub-division proposal made by J.B.S. Estates.

On behalf of J.B.S. Estates, LLC, I am authorized to submit this request to the City. J.B.S. Estates, LLC requests a 14-day extension to the 120-day period under ORS 227.178(5) in order to move the hearing date to September 19, 2007, from the current hearing date of September 5, 2007. The reason for this request is that both Juanita Struble, who is the sole member of the LLC, and Jeffrey Pentecost, an advisor and otherwise interested party, will both be out of the state pursuant to commitments made long before J.B.S. Estates received notice of the hearing. This request is not made for purposes of delay but is made only because Mrs. Struble and Dr. Pentecost will not be available to participate and attend the hearing on the 5th. Although neither may testify, it is important that they be available during the hearing. If a request to continue must be in another form, or if you need any additional information, please contact me immediately. Thank you.

Very truly yours,



Bruce H. Orr

cc J.B.S. Estates, LLC

**Minutes of Planning Commission
Meeting on July 23, 2007**

MINUTES
CANBY PLANNING COMMISSION
7:00 PM – July 23, 2007
City Council Chambers – 155 NW 2nd Avenue

PRESENT: Chair Jim Brown, Commissioners Bruce Holte, John Molamphy, Janet Milne, and Jared Taylor

ABSENT: Dan Ewert

STAFF: John Williams, Community Development and Planning Director; Carl Ahl, Planning Technician; and Jill Thorn, Planning Staff

OTHERS PRESENT: Dean Zarosinski, Terry Tolls, Allen Patterson, Juanita Struble, Bruce Orr, Fred Kahut, Tina McCormick, Brett Allen, Cliff Parsons, John Middleton, and Roger Reif

I. CITIZEN INPUT None ..

II. PUBLIC HEARINGS

SUB 07-01 – J.B.S. Estates, LLC – Sequoia Parkway and Walnut Street - An application from J.B.S. Estates LLC who proposes to subdivide Tax lot 1800 into a 5 lot subdivision of four approximately equal one acre lots and one larger, approximately 4 acre lot.

Chair Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. No questions were asked of the Commissioners.

John Williams presented the staff report. The property is located in northeast Canby within the Pioneer Industrial Park. The subject parcel fronts Sequoia Parkway on the south and S. Walnut Street on the east. All adjoining properties are within city limits except tax lot 1900 to the north, which retains its County RRFF5 zoning. All annexed adjoining properties are zoned Light Industrial with the Industrial Overlay Zone (I-O), except the property to the west which is zoned Heavy Industrial with the I-O overlay.

The property has been used for years for growing row crops such as strawberries. It is generally flat with no existing significant trees or natural features.

Sequoia Parkway is fully developed with the exception of sidewalks and developed planter strip in front of the subject property. S. Walnut Street is minimally improved with a road width of less than 24 feet and minimal base.

Mr. Williams reported that several property owners had been working to come up with a plan for the Walnut Street area, but so far had not reached agreement and the City did not have this particular area in the Transportation System Plan. Therefore, staff recommended requiring frontage improvements on Walnut following the current alignment or on another alignment as approved by the City.

Chair Brown asked about the curve on Sequoia.

Mr. Williams said it had been designed to meet the traffic requirements of the area.

Applicant: John Middleton of Ztec Engineers spoke for the applicant. Mr. Middleton said the road issue had been very difficult and they had tried to make it work.

Chair Brown asked if equal portions from the applicant's lot and the Burden property were possible.

Mr. Middleton said that other people were also involved in the discussion and felt the road was for somebody in the future.

Commissioner Molamphy asked to what standards the road would be built.

Mr. Middleton said it would be built to industrial street standards.

Commissioner Molamphy asked about providing access to Lot 5 through the shared driveway on Sequoia Parkway.

Mr. Middleton said it had been discussed but was more complicated.

Proponents: Roger Reif, attorney for the Estate of Ray Burden, said his client was in favor of the proposed application but had issues with the Walnut Street portion. Mr. Reif expressed concern about Condition 13.

He presented the Commission with a letter from The Roberts Company of Oregon which contained suggested language for Conditions 12 and 13.

Chair Brown asked if the suggested alignment raised the value of the property for Mr. Reif's client, or what was the issue.

Mr. Reif responded that it was the funding and who would pay.

Chair Brown asked if the application was approved and the parties came to an agreement regarding a new alignment, would it have to come back to the Planning Commission.

Mr. Williams responded that it would be a Lot Line Adjustment or a Modification of the Subdivision application that was before the Commission now.

Terry Tolls said he was not opposed to the application but had concerns about the Walnut Street alignment. He felt that time was needed to resolve the issue, but the first four lots of the application would not be impacted.

Chair Brown asked if the language in the conditions of approval get at Mr. Tolls issues.

Mr. Tolls said he would prefer the language in The Roberts Company's letter.

Opponents: None

Rebuttal: Mr. Middleton agreed with Mr. Tolls that the four lots would not be impacted in regard to the alignment of the road.

Chair Brown closed the public hearing.

Commissioner Molamphy said that he would like to see the street alignment before approving the application.

Commissioner Taylor felt the four lots were ready to go and the road was a side issue that could be conditioned with Lot 5 that who ever buys Lot 5 would have to fix before development.

Chair Brown said he disagreed with Commissioner Taylor. He had no problem with the four lots and felt the Commission all agreed with the alignment that John Williams was proposing on the second page of Exhibit 2 of the staff report. He felt that criteria C - the overall design and arrangement of lots shall be functional and shall necessary for the development of the subject property without unduly hindering the use or development of adjacent properties was not met with what was before the Commission.

Commissioner Holte felt that language in The Roberts Company's letter to deal with Conditions 12 and 13 should be added in the conditions. He felt the formation of a Local Improvement District for the construction of the realignment of Walnut Street should be required.

Commissioner Molamphy would prefer to see the road situation worked out before approving. He felt the alignment of Walnut Street should occur before Lot 5 is developed and preferred the alignment that was shown on the second page of Exhibit 2 of the July 13, 2007 staff report.

Commissioner Milne asked how long the applicant had to record the subdivision.

Mr. Williams responded that it was one year.

Commissioner Taylor felt this was a huge burden on the property owner.

Chair Brown asked if you could allow the plat for half a subdivision.

Commissioner Taylor said you would not allow occupancy on Lot 5 until the road was done.

Commissioner Molamphy said that until he could see something on the road, he was opposed.

It was moved by Commissioner Holte to approve SUB 07-01 as amended in Conditions 12 and 13. It was seconded by Commissioner Milne. Motion carried 5-0.

DR 07-05 – 1st Student Bus Facility – The applicant requests approval to construct a bus barn facility on a 4.87 acre vacant lot located on the North side of SE Township, west of the Molalla Forest Road.

Chair Brown read the public hearing format. When asked if any Commissioner had a conflict of interest, none was expressed. When asked if any Commissioner had ex-parte contact, none was stated. Chair Brown and Commissioner Molamphy stated they had visited the site. No questions were asked of the Commissioners.

Carla Ahl presented the staff report. The site is located between SE Township Road and SE 4th Avenue. The Logging Road Trail is to the east and Canby Disposal is to the immediate west.

The bus facility was once located between SW 2nd and SW 4th Avenues across the street from Canby High School. They moved to the Barlow area and are now looking to relocate back in Canby.

The area is designated as M-1 (Light Industrial). Properties to the west and north are also zoned M-1, across the Logging Road to the east the property is zoned M-2 (Heavy Industrial) and to the south is Baker Prairie Middle School which is zoned R-1 (Low Density Residential).

The applicant discussed the possibility of locating the bus facility at this location during the April 23, 2007 Planning Commission meeting. A bus facility is not listed as an outright use in any zone, but the M-1 zone does allow such uses as automotive repair shops, contractor equipment storage and "other uses as determined by the Planning Commission". The Planning Commission decided in a 4 to 1 decision to allow the bus facility in the M-1 zone as an outright use.

A 60' wide access is proposed from SE Township Rd, there are no plans to access the site from SE 4th Avenue. An office area of 3,150 sq. ft. and a 4,550 sq. ft. maintenance building would require 16 parking spaces; the applicant has proposed 101 passenger spaces due to the high volume of drivers they employ.

The applicant has proposed 73 bus parking spaces. The parking area for the passengers will be separate from the parking area for the buses.

The Park and Recreation Board has had discussions in the past regarding establishing a pedestrian access to the Logging Road from this property. With the Baker Prairie Middle School ADA accessible access on the south side of the school, the pedestrian access on the south side of the school property and the newly created access from the Perman Professional Village development to the north, this access was deemed unnecessary by the Parks Director.

Chair Brown asked what the minimum parking requirements for such an application were and if there was a lighting plan.

Ms Ahl said that 16 spaces are required, but the applicant was proposing 101 because of the type of business.

Commissioner Taylor had concerns about the stormwater and surface water in the parking lot.

Ms Ahl said it would all be contained on the site.

Mr. Williams said that the lighting was handled in Condition 16.

Applicant: Dean Zarosinski, engineer for the applicant stated that the building and site would be a bus facility completely fenced with an electronic gate. The stormwater would have a surface infiltration. There was no loading dock with the building. The color scheme would be similar to KB Recycling of off beige and a green roof. The Douglas firs on the landscape plan had been replaced with maples.

Commissioner Molamphy asked if fuel would be stored on site. Mr. Zarosinski said no fuel would be stored on site.

Commissioner Taylor asked if the 4 foot siding would be brick. Mr. Zarosinski said it would be a decorative masonry.

Mr. Kahut said it would be a brick type.

Commissioner Molamphy asked if Mr. Zarosinski had any response to the traffic study of Lancaster Engineering on page two that spoke to the intersection of SW Township Road and S Ivy Street which is currently operating at high delays.

Mr. Zarosinski said he had no response.

Commissioner Molamphy expressed frustration that the bus company did not have a representative present to discuss the traffic issues with the Commission.

Chair Brown asked about lighting of the facility.

Mr. Zarosinski responded that because of the early morning and late evening requirements the bus company wanted lighting for the safety of the employees.

Chair Brown asked if all the parking spaces had adequate back up area for spaces 17 and 18.

Mr. Zarosinski said that they would be used for smaller buses and each bus had an assigned spot depending on the size that would be used all the time for that bus.

Chair Brown asked if the parking lot would be gravel.

Mr. Zarosinski said it would be fully paved.

Commissioner Holte said he was in favor of the project but upset no one was present to address the traffic issue.

Proponents: None

Opponents: None

Rebuttal: None

Chair Brown closed the public hearing.

Commissioner Taylor said the application looks okay and had a lot of trees. He felt the elevations were very plain and would like more information on the traffic issue.

Chair Brown said that the Commission could require a plan for the traffic.

Commissioner Milne felt it was an excellent use of the parcel. She liked the landscaping, security fence and the alignment to the middle school of the entrance.

Commissioner Holte moved to hold the application to the next regular meeting in order to hear more information on the traffic issues. There was no second.

Chair Brown said the site was not great for industrial use, but the bus facility was an effective use for the site. He said a school bus service operational plan could be required before occupancy.

Commissioner Taylor asked about the colors of the facility and asked that the Planning Department review this with the applicant.

It was moved by Commissioner Molamphy to approve DR 07-05 as amended with Conditions for a school bus service operational plan to be approved before occupancy and colors for the building to be reviewed by the Planning Department. It was seconded by Commissioner Holte. Motion carried 5-0.

III. NEW BUSINESS

NCS 07-02 – McCormick/Allen – 431 SW 3rd Avenue – Expansion of a Nonconforming Structure – Remove existing garage and build a new larger garage

Carla Ahl presented the staff report. The applicant is requesting approval to replace an existing nonconforming garage and shed room located at 431 SW 3rd Ave. with a larger garage using the same setbacks. Currently the garage is 2' 4" from the south property line. The applicant stated the need for the replacement is because the roof is leaking, the whole building is leaning away from the house and the garage door cannot be secured.

The applicant proposes demolishing the existing garage and shed room and building a new attached garage. The addition would duplicate the existing roof line of the house, be painted in coordinated colors and trimmed in the same manner as the existing house. The applicants will use the fire resistant siding as recommended by the Fire Department. The applicants believe this garage will be more functional for them and would be an attractive addition not only to their property but to the neighborhood.

The Planning Commission approved changes in the Zoning Code recently (TA 07-01) to allow applications such as this. This change followed a Planning Commission interpretation in 2004 on this issue. In 2004 the Planning Commission told staff that replacement structures would generally be viewed favorably if there is a demonstrated need for replacement and the new structure is well-designed.

Chair Brown asked if the neighbors had been notified. Ms Ahl said that she had suggested that the applicants talk with their neighbors before submitting the application as they would receive notice after the decision of the Planning Commission.

Commissioner Taylor asked how high the new garage would be. Ms Ahl said it would be the same at the edge, but increase towards the center of the roof.

The applicants, Brett Allen and Katrina McCormack said the current garage was an eye sore for the neighborhood and not functional for them. They have consulted with the Fire Marshall who suggested a Class A siding (non-combustible) and eve soffets due to the distance between the garage and the neighboring home. Mr. Allen said he had been trying to contact the neighbors, but they were out of town.

Commissioner Holte felt it was clean and nice.

Commissioner Milne commended them for the investment in their property and neighborhood.

Commissioner Taylor asked about the height of the garage. Mr. Allen said it would be 8 feet at the edge and 10 ½ feet at the center.

It was moved by Commissioner Holte to approve NCS 07-01 as presented. It was seconded by Commissioner Milne. Motion carried 5-0.

Mr. Williams asked the Commission if they wanted to continue to see applications such as this one; or did they want the staff to handle such applications.

Chair Brown said he would like to see expansion of non-conforming structures, but felt that staff should handle replacement of existing non-conforming structures that were not expansions.

The other Commissioners concurred.

IV. FINDINGS

DR 07-04 – American Steel - Commissioner Molamphy moved to approve the findings for DR 07-04 as presented. Motion seconded by Commissioner Holte and passed 5-0.

SUB 07-01 – J.B.S. Estates, LLC – Mr. Williams read the modified language for Conditions 12 and 13 as requested by the Commission. The language that was added to Condition 12: "The Plat shall include a reservation for the future Walnut Street realignment as shown on the second page of Exhibit 2 of the July 13, 2007 staff report. The subdivider will provide a waiver of remonstrance regarding formation of a Local Improvement District for construction of the realigned S. Walnut Street." The language that was added to Condition 13: "Walnut Street shall be improved as shown on the second page of Exhibit 2 of the July 13, 2007 staff report." Commissioner Molamphy moved to approve the findings for SUB 07-01 as amended. Motion seconded by Commissioner Taylor and passed 5-0.

DR 07-05 – 1st Student Bus Facility - Commissioner Holte moved to approve the findings for DR 07-05 as amended. Motion seconded by Commissioner Taylor and passed 5-0.

V. MINUTES

July 9, 2007 - Commissioner Milne moved to approve minutes of July 9, 2007 as presented. Motion seconded by Commissioner Taylor and passed 5-0.

VI. DIRECTOR'S REPORT

John Williams announced that the August 13th Commission meeting would be cancelled as there were no public hearings scheduled.

Chair Brown asked when the unit on the top of the Willamette Falls building would be brought into compliance with the conditions of approval.

Mr. Williams indicated that staff was working on the situation and would be bringing this back to the Commission in the near future.

Commissioner Molamphy said that he had driven past the American Steel facility in Portland and was very impressed with how well the property was maintained. He felt it had been always taken care of and was pleased to have the business coming to Canby.

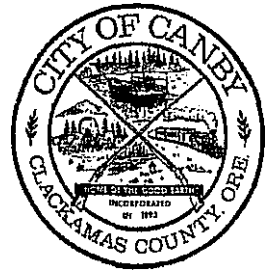
City Councilor Tony Helbling announced that there was one vacancy on the Planning Commission and urged any interested person to contact the City for an application.

Chair Brown commented that the Commission had received a copy of the City Council Goals and was pleased to see a goal of mater planning for all undeveloped areas in Canby's urban growth boundary.

VII. ADJOURNMENT

Findings, Conclusions and Final Order SUB 07-01

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



**A REQUEST FOR APPROVAL)
FOR AN FIVE LOT SUBDIVISION)
FOR INDUSTRIAL DEVELOPMENT)
)**

**FINDINGS, CONCLUSIONS
& FINAL ORDER
SUB 07-01
(JBS Estates)**

NATURE OF APPLICATION

The applicants are proposing dividing an 8-acre lot into 5 lots suitable for industrial development. Lots 1-4 would be approximately 1 acre apiece and accessed by a single cul-de-sac driveway from S. Sequoia Parkway. Lot 5 would be approximately 4 acres and would stretch between S. Sequoia Parkway and S. Walnut Street.

CRITERIA AND STANDARDS

1. SUBDIVISION - City of Canby Code Section 16.62.020

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

- A. Conformance with the text and applicable maps of the Comprehensive Plan.
- B. Conformance with other applicable requirements of the land development and planning ordinance.
- C. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.
- D. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

FINDINGS AND REASONS

The Planning Commission deliberated on all testimony presented at the July 23, 2007 public hearing, and includes the July 13, 2007 staff report. The Planning Commission adopted the findings and conclusions contained in the July 13, 2007 staff report, written in the Order below, and adopted one additional finding as noted here:

- The Planning Commission finds that unless the location of S. Walnut Street is revised as shown on page 2 of Exhibit 3 of the July 13 staff report, this application would unduly

**Findings, Conclusion and Final Order
SUB 07-01
Page 1 of 5**

hinder the use and development of industrially-zoned property to the south. The Commission bases this finding on discussions at the public and specifically, on testimony by Terry Tolls that rezoning would be required to make these properties developable. Therefore, the Commission finds that the revised alignment must be assured as proposed in testimony provided by the Roberts Company. Conditions 12 and 13 are changed as a result.

CONCLUSION

1. The subdivision, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;
2. The subdivision, with appropriate conditions, is considered to be in conformance with other applicable requirements of the Land Development and Planning Ordinance;
3. With the recommended conditions, the overall design and arrangement of the proposed subdivision will be functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties; and
4. With the recommended conditions, all necessary public services will become available through the development of the property to adequately meet the needs of the proposed subdivision.

ORDER

IT IS ORDERED by the Planning Commission of the City of Canby that **SUB 07-01** is **APPROVED** subject to the following conditions:

1. The final plat shall reference the following land use application: City of Canby, File No. SUB 07-01 and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits.
2. The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying, land title, plat security, and plat recordation.
3. On the final plat, an additional 11 feet of right-of-way shall be dedicated to the public on the parent parcel's entire S. Walnut Street frontage.
4. Easements shall be provided on the final plat as follows:
 - a. 12 foot wide public utility easements along the parent parcel's full frontage of both S. Sequoia Parkway and S. Walnut Street.

- b. Common access/utility easement for lots 1 through 4 as shown on the proposed plat. A common maintenance agreement shall be recorded along with each lot.
 - c. Sewer and water easements along the south side of the parent parcel as shown on the proposed plat.
- 5. The land divider shall follow the provisions of Section 16.64.070 Improvements, in particular, but not limited to, subparagraph (O) Bonds, which requires a surety bond, personal bond, or cash bond for subdivision improvements for any public improvement not completed prior to the signing of the final plat. The bond shall provide for the City to complete the required improvements and recover the full cost of the improvements.
 - 6. A copy of any CC&Rs that will be filed with the subdivision shall be submitted to the City Planning Department, prior to the signing of the final plat, and shall include a statement that street trees will be planted along street frontages, within the street tree planting easement. The CC&Rs must also include a statement notifying property owners of their responsibilities under the current Tree Ordinance for maintenance of street trees.
 - 7. The final plats must be submitted to the City within one (1) year of the approval of the preliminary plat according to Section 16.68.020.
 - 8. The approval of this subdivision application will be null and void if the final plat is not submitted to the County within six (6) months after signing of the plat by the City (Section 16.68.070).
 - 9. Prior to the issuance of a building permit, installation of public utilities, or any other site work other than rough site grading, construction plans must be approved and signed by the City and all other utility/service providers. The design, location, and planned installation of all roadway improvements and utilities including but not limited to water, electric, sanitary sewer, natural gas, telephone, storm water, cable television, and emergency service provision is subject to approval by the appropriate utility/service provider. The City of Canby's preconstruction process procedures shall be followed.
 - 10. "As-built" drawings of any public improvements shall be submitted to the City within sixty (60) days of completion. A copy of the "as-built" drawings shall be submitted on a computer disk in an AutoCAD format.
 - 11. Construction and "as-built" plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon.
 - 12. S. Walnut Street cannot accommodate additional traffic without roadway improvements. Any future development of Lot 5 that impacts S. Walnut Street will not be approved unless adequate access to collector and arterial streets can be demonstrated. The Plat shall include a reservation for the future Walnut Street realignment as shown on the second page of Exhibit 2 of the July 13, 2007 staff report. The subdivider will provide a waiver of remonstrance regarding formation of a Local Improvement District for construction of the realigned S. Walnut Street.
 - 13. Upon future development of Lot 5, full frontage improvements on S. Walnut will be required, including ½ street improvements, sidewalks, curbs, planter strip, street trees, utilities, and street lighting. Walnut Street shall be improved as shown on the second page

of Exhibit 2 of the July 13, 2007 staff report. Construction of public improvements on S. Walnut Street shall follow the City's preconstruction process procedures.

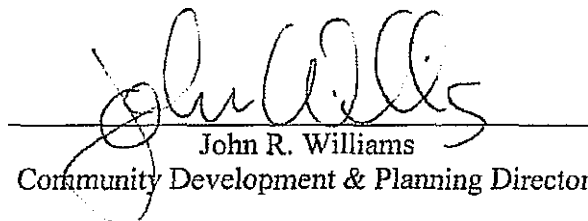
14. Upon future development of Lots 1, 4, and 5, sidewalks, planter strips, and street trees will be required upon the full Sequoia Parkway frontage of those lots.
15. Fire hydrants shall be provided as required by the Canby Fire District.
16. Electrical primary will need to be extended through the development at the developer's expense.
17. Commercial driveway approaches shall be installed at all entrances. Access improvements shall be inspected and approved by Canby Public Works prior to installation.
18. Existing utility laterals and services shall be utilized for development of all lots unless otherwise approved by the City.
19. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
20. Sanitary system and storm drainage plans shall be approved by DEQ or EPA prior to construction.
21. The site approval as acted upon by the Commission shall be binding upon the developer and variations from the plan shall be subject to approval by the City following the modification process in CMC Chapter 16.89.
22. All property included in this subdivision approval is subject to Advanced Financing District (AFD) charges which are payable upon issuance of a building permit per property.
23. The property is subject to Economic Improvement District (EID) charges which will commence upon issuance of a certificate of occupancy.

I CERTIFY THAT THIS ORDER approving **SUB 07-01** was presented to and **APPROVED** by the Planning Commission of the City of Canby.

DATED this 23rd day of July, 2007.



James R. Brown
Chairman of Canby Planning Commission



John R. Williams
Community Development & Planning Director

ATTEST:

ORAL DECISION – July 23, 2007

AYES: Brown, Holte, Milne, Molamphy, Taylor

NOES: None

ABSTAIN: None

ABSENT: Ewert

WRITTEN DECISION – July 23, 2007

AYES: Brown, Holte, Milne, Molamphy, Taylor

NOES: None

ABSTAIN: None

ABSENT: Ewert

Letter from The Roberts Company of Oregon

The Roberts Company of Oregon

934 SW Cheltenham St.
Portland, Oregon 97239-2606
(503) 245-3929
Fax (503) 245-3909
Cel (971) 563-0158

John Williams
Community Development & Planning Director
City of Canby
182 N. Holly Street
Canby Oregon 97013

July 20, 2007

RE: Canby Industrial Park
Options for cost sharing (Sub 07-01)

Gentlemen:

Please allow me to express some thoughts on this Subdivision that are probably beyond the Planning Commission's scope of decision making, and others that are.

With regard to the matter before you, there is the unresolved question as to the planned realignment of Walnut, which would influence both the assessment calculations (more about that below), and the right-of-way for the future street. Therefore, I would suggest different wording for Staff Recommended Conditions 12 and 13 such as follows:

12. S. Walnut Street cannot accommodate additional traffic without roadway improvements. Any future development of Lot 5 that impacts S. Walnut Street will not be approved unless adequate access to collector and arterial streets can be demonstrated. The Plat shall include a reservation for the future Walnut Street realignment as shown on the Industrial Park Master Plan. The Subdivider will provide a Waiver of Remonstrance regarding formation of a Local Improvement District for construction of realigned Walnut Street.
13. Upon future development of Lot 5, full frontage improvements on S. Walnut will be required, including ½ street improvements, sidewalks, curbs, planter strip, street trees, utilities, and street lighting. Walnut Street shall be improved in its master planned location. Construction of public improvements on S. Walnut Street shall follow the City's preconstruction process procedures.

These changes recognize the equity issues raised above, and the reality that actual improvement of Walnut Street requires concurrent development of the portion of the street outside this subdivision.

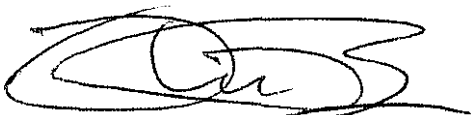
In the realm of matters beyond your authority, I feel it is important to reiterate the expectations of the property owners in the Industrial Park as to cost sharing. In 2003 and 2004, as the Hazeldell Subdivision was being prepared, I was asked to provide assistance in suggesting the appropriate method for cost sharing. After extensive conversations with the property owners and with the City (and consideration of seven different cost sharing schemes), we concluded that the most equitable method of determining benefits, and therefore costs, was a combination of the following:

1. The total costs include the purchase of right of way.
2. 60% of the infrastructure development and right of way costs were paid for through a Local Improvement District (LID).
Each owner's share was calculated as follows:
 - a. 50% of the share based on the area within 100' of the roadway being improved, and
 - b. 50% of the share based on the area of the front half of the lot where the lot fronts on 2 streets in the overall plan.
3. In the case of Hazel Dell Way, 40% of the infrastructure development and right of way costs were paid for by the Urban Renewal Agency

This formula recognizes that the Industrial Park has a variety of individual parcel sizes, right-of-way impacts and benefits. Some streets have a disproportionate share of street frontage. Others have widely varying lot sizes. When the earlier LID was formed, it was with the agreement of the larger group of property owners in the Industrial Park. It was also with the understanding that this would therefore be a precedent used to determine the cost sharing for future phases. On behalf of the vast majority of the Industrial Park property owners, we believe this understanding should be honored in all future phases. This is particularly important since some property owners assessed in the earlier District would be assessed again with no further benefit if another method of cost sharing were considered. I understand that the Planning Commission does not have the authority to make such decisions. However, it is important that this matter go forward along with your decision to the City Council for their deliberation when it gets that far.

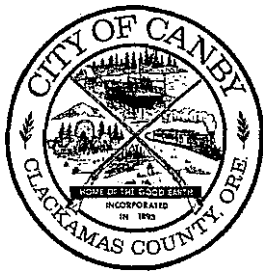
If you have any questions, please call me. Thank you for your consideration of these matters.

Sincerely,



Wilton A. (Bud) Roberts, PE

Staff Report to Planning Commission



STAFF REPORT

APPLICANT:

JBS Estates, LLC
2865 Rosecliffe Ct. V-14
Lake Oswego, OR 97034

FILE NO.:

SUB 07-01
(J.B.S. Estates)

OWNER:

same

STAFF:

John R. Williams
Community Dev. & Planning Dir.

LEGAL DESCRIPTION:

Tax Lot 01800 of map 31E34

DATE OF REPORT:

July 13, 2007

LOCATION:

Between Sequoia Parkway and S. Walnut Street

DATE OF HEARING:

July 23, 2007

COMP. PLAN DESIGNATION:

Light Industrial (M-1), I-O Overlay

ZONING DESIGNATION:

Light Industrial (M-1), I-O Overlay

I. APPLICANT'S REQUEST:

The applicants are proposing dividing an 8-acre lot into 5 lots suitable for industrial development. Lots 1-4 would be approximately 1 acre apiece and accessed by a single cul-de-sac driveway from S. Sequoia Parkway. Lot 5 would be approximately 4 acres and would stretch between S. Sequoia Parkway and S. Walnut Street.

II. APPLICABLE CRITERIA:

1. SUBDIVISIONS - 16.62.020

This is a quasi-judicial land use application. Applications for a subdivision shall be evaluated based upon the following standards and criteria:

- A. Conformance with the text and applicable maps of the Comprehensive Plan. *(Note: per attached legal analysis this criteria is not enforceable)*
- B. Conformance with other applicable requirements of the land development and planning ordinance.
- C. The overall design and arrangement of lots shall be functional and shall adequately provide building sites, utility easements, and access facilities

deemed necessary for the development of the subject property without unduly hindering the use or development of adjacent properties.

- D. It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.

2. Other Applicable Policies and Regulations:

City of Canby General Ordinances:

- 16.10 Off Street Parking/Loading
- 16.32 M-1 Light Industrial Zone
- 16.35 I/O Canby Industrial Area Overlay Zone
- 16.46 Access Limitations
- 16.62 Subdivision - Applications
- 16.64 Subdivisions - Design Standards
- 16.66 Subdivisions - Planning Commission Action
- 16.68 Subdivisions - Final Procedures and Recordation
- 16.86 Street Alignment

III. FINDINGS:

1. Location and Background

The property is located in northeast Canby within the Pioneer Industrial Park. The subject parcel fronts Sequoia Parkway on the south and S. Walnut Street on the east. All adjoining properties are within city limits except tax lot 1900 to the north, which retains its County RRFF5 zoning. All annexed adjoining properties are zoned Light Industrial with the Industrial Overlay Zone (I-O), except the property to the west which is zoned Heavy Industrial with the I-O overlay.

The property has been used for years for growing row crops such as strawberries. It is generally flat with no existing significant trees or natural features.

Sequoia Parkway is fully developed with the exception of sidewalks and developed planter strip in front of the subject property. S. Walnut Street is minimally improved with a road width of less than 24 feet and minimal base.

2. Subdivision Approval Criteria

- A. *Conformance with the text and the applicable maps of the Comprehensive Plan.*

According to our land use attorney, this criteria is not enforceable. ORS 197.195(1) provides that consistency with the comprehensive plan shall be

achieved by incorporating all plan standards into land use regulations. Specifically the law states: "If a city or county does not incorporate its comprehensive plan provisions into its land use regulations, the comprehensive plan provisions may not be used as a basis for a decision by the city or county or on appeal from that decision."

As a result we have restructured this subdivision staff report to focus on land use regulations.

B. Conformance with all other requirements of the Land Development and Planning Ordinance.

Roads and Driveways

Chapter 16.10 – Off-Street Parking and Loading

Chapter 16.46 – Access Limitations

Chapter 16.64 – Subdivision Design Standards

Most details of parking and loading will be provided through future design review applications for property development. The proposal features two 30' driveways spaced 230' apart on S. Sequoia Parkway. This will meet city standards. Condition 17 applies City construction standards to these driveways. S. Sequoia Parkway is improved (between curbs) and utilities are in place. Any development will be required to install planter strips and sidewalks. A question arises as to the timing of these improvements – should they be installed prior to subdivision recordation or along with development? In keeping with the Planning Commission's recent decision on residential partitions, staff recommends condition 14, requiring the improvements along with development.

S. Walnut Street is unimproved and cannot handle added industrial traffic due to substandard pavement depth and width. The City has been working with property owners to develop a new alignment for S. Walnut Street, as shown in Exhibit 3. This alignment would facilitate access to Sequoia and eliminate what we see as an unnecessary section of roadway on Walnut. However, the new alignment is not contained in our Transportation System Plan and the City lacks authority to require its installation. The City has been encouraging property owners to voluntarily adopt the alignment (we believe it uses less land and will cost development less money), but that has not happened to date. Therefore, we propose a condition of approval (13) that requires Walnut to be fully improved either in its current alignment or in an alternative alignment approved by the City upon development of Lot 5. No driveways are proposed on S. Walnut Street at this time. Any development that adds traffic to Walnut Street will also require an adequate connection to arterial and collector streets, as required by condition 12.

Walnut Street is categorized as a local street under the Industrial Area Master

Plan and as such will have 52' of right-of-way including a 40' curb to curb distance, planter strips, and 6' sidewalks. An additional 11' of ROW is required to comply with this standard, as stated in Condition 3.

No traffic study was required by this application but future development may trigger studies.

Development Standards

16.32 *M-1 Light Industrial Zone*

16.35 *I/O Canby Industrial Area Overlay Zone*

There are no minimum lot area, width, or frontage standards in the I/O zone. Access standards are met and all other development standards will be reviewed through future design review applications.

- C. *The overall design and arrangement of parcels shall be functional and shall adequately provide building sites, utility easements, and access facilities deemed necessary for the development of the subject property without unduly hindering the use or development of the adjacent properties.*

With the conditions below, the proposed subdivision meets these requirements for design, arrangement, and access to lots.

- D. *It must be demonstrated that all required public facilities and services are available, or will become available through the development, to adequately meet the needs of the proposed land division.*

Comments from public facility and service providers are included in Exhibit 2. The only comment requiring additional attention was from Gary Stockwell at Canby Utility Electric, who noted that electrical primary will need to be extended through the development at the developer's expense. This is accommodated by condition 16.

3. **Neighborhood Meeting**

No neighborhood meeting was required for this application.

4. **Public comments**

No public comments have been received as of the date of this staff report.

IV. CONCLUSION

1. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with the Comprehensive Plan;
2. Staff concludes that the subdivision, with appropriate conditions, is considered to be in conformance with other applicable requirements of the Land Development

and Planning Ordinance;

3. Staff concludes that, with the recommended conditions, the overall design and arrangement of the proposed subdivision will be functional and will adequately provide building sites, utility easements, and access facilities which are necessary for the development of the subject property without unduly hindering the use or development of adjacent properties; and
4. Staff concludes that, with the recommended conditions, all necessary public services will become available through the development of the property to adequately meet the needs of the proposed subdivision.

V. RECOMMENDATION

Based upon the application and drawings submitted, facts, findings and conclusions of this report, and without benefit of a public hearing, staff recommends that the Planning Commission approve SUB 07-01 with the following conditions:

1. The final plat shall reference the following land use application: City of Canby, File No. SUB 07-01 and shall be registered with the Clackamas County Surveyor's Office and recorded with the Clackamas County Clerk's Office. Evidence of this shall be provided to the City of Canby Planning Department prior to the issuance of building permits.
2. The final plat mylars must contain, in the form specified, all information necessary to satisfy all matters of concern to the County Surveyor, or his authorized Deputy, including, but not necessarily limited to, various matters related to land surveying, land title, plat security, and plat recordation.
3. On the final plat, an additional 11 feet of right-of-way shall be dedicated to the public on the parent parcel's entire S. Walnut Street frontage.
4. Easements shall be provided on the final plat as follows:
 - a. 12 foot wide public utility easements along the parent parcel's full frontage of both S. Sequoia Parkway and S. Walnut Street.
 - b. Common access/utility easement for lots 1 through 4 as shown on the proposed plat. A common maintenance agreement shall be recorded along with each lot.
 - c. Sewer and water easements along the south side of the parent parcel as shown on the proposed plat.
5. The land divider shall follow the provisions of Section 16.64.070 Improvements, in particular, but not limited to, subparagraph (O) Bonds, which requires a surety bond, personal bond, or cash bond for subdivision improvements for any public improvement not completed prior to the signing of the final plat. The bond shall provide for the City to complete the required improvements and recover the full cost

of the improvements.

6. A copy of any CC&Rs that will be filed with the subdivision shall be submitted to the City Planning Department, prior to the signing of the final plat, and shall include a statement that street trees will be planted along street frontages, within the street tree planting easement. The CC&Rs must also include a statement notifying property owners of their responsibilities under the current Tree Ordinance for maintenance of street trees.
7. The final plats must be submitted to the City within one (1) year of the approval of the preliminary plat according to Section 16.68.020.
8. The approval of this subdivision application will be null and void if the final plat is not submitted to the County within six (6) months after signing of the plat by the City (Section 16.68.070).
9. Prior to the issuance of a building permit, installation of public utilities, or any other site work other than rough site grading, construction plans must be approved and signed by the City and all other utility/service providers. The design, location, and planned installation of all roadway improvements and utilities including but not limited to water, electric, sanitary sewer, natural gas, telephone, storm water, cable television, and emergency service provision is subject to approval by the appropriate utility/service provider. The City of Canby's preconstruction process procedures shall be followed.
10. "As-built" drawings of any public improvements shall be submitted to the City within sixty (60) days of completion. A copy of the "as-built" drawings shall be submitted on a computer disk in an AutoCAD format.
11. Construction and "as-built" plans shall be designed and stamped by a Professional Engineer registered in the State of Oregon.
12. S. Walnut Street cannot accommodate additional traffic without roadway improvements. Any future development of Lot 5 that impacts S. Walnut Street will not be approved unless adequate access to collector and arterial streets can be demonstrated.
13. Upon future development of Lot 5, full frontage improvements on S. Walnut will be required, including ½ street improvements, sidewalks, curbs, planter strip, street trees, utilities, and street lighting. Walnut Street shall be improved in its current *alignment unless otherwise approved by the City*. Construction of public improvements on S. Walnut Street shall follow the City's preconstruction process procedures.
14. Upon future development of Lots 1, 4, and 5, sidewalks, planter strips, and street trees will be required upon the full Sequoia Parkway frontage of those lots.
15. Fire hydrants shall be provided as required by the Canby Fire District.
16. Electrical primary will need to be extended through the development at the developer's expense.

17. Commercial driveway approaches shall be installed at all entrances. Access improvements shall be inspected and approved by Canby Public Works prior to installation.
18. Existing utility laterals and services shall be utilized for development of all lots unless otherwise approved by the City.
19. Any relocation of existing utilities required due to construction of the development shall be done at the expense of the applicant.
20. Sanitary system and storm drainage plans shall be approved by DEQ or EPA prior to construction.
21. The site approval as acted upon by the Commission shall be binding upon the developer and variations from the plan shall be subject to approval by the City following the modification process in CMC Chapter 16.89.
22. All property included in this subdivision approval is subject to Advanced Financing District (AFD) charges which are payable upon issuance of a building permit per property.
23. The property is subject to Economic Improvement District (EID) charges which will commence upon issuance of a certificate of occupancy.

Exhibits:

1. Applicant's packet (including site plans and narrative)
2. Responses to request for comments
3. Vicinity map & area roadway plan

Exhibits to Staff Report

- 1. Applicant's Packet**
- 2. Responses to request for comments**
- 3. Vicinity map and area roadway plan**

Fee: *See Fee Schedule

APPLICANT**

Name J.B.S. ESTATES, LLC
Juanita B. Struble, Member
Address 2865 Rosecliffe Ct. V-14
City Lake Oswego State OR Zip 97034
Phone 503-635-4088 Fax 503-697-6963
E-mail jstruble14@msn.com

<input type="checkbox"/> X	Owner	<input type="checkbox"/> X	Email	<input type="checkbox"/>	US Postal	<input type="checkbox"/>	Fax
<input type="checkbox"/>	Applicant	<input type="checkbox"/>	Email	<input type="checkbox"/>	US Postal	<input type="checkbox"/>	Fax

DESCRIPTION OF PROPERTY

Lot Size 8 Acres
(Acres/Sq.Ft.)

Previous Land Use Action (If any) _____

Hearing Date _____

EXHIBIT

#1

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

3737 SE 8th Ave.

John McL. Middleton, P.E.

Portland, OR 97202

Ronald B. Sellards, P.E.

Chris C. Fischborn, P.L.S.

(503) 235-8795

FAX: (503) 233-7889

E-mail: john@ztecengineers.com

April 25, 2007

STRUBLE SUBDIVISION

APPLICATION NARRATIVE

This proposal is to subdivide Tax lot 1800 map 3 1E 34 into 4 approximately equal one acre lots and one larger, approximately 4 acre lot. The property has frontage on Sequoia Parkway and Walnut St., located within the boundaries of Canby Pioneer Industrial Park. The site is zoned M-1 (Light Industrial).

Public sewer and water services have been installed to the site from the public lines in Sequoia Parkway. Power, telephone, cable and gas service is also available on-site in easement on the property's Sequoia parkway frontage. Plans have been submitted to the City of Canby for approval to extend the public sewer and water east, in easement on the property, east to Walnut St.

There are no public storm drainage facilities available to serve this site so storm drainage collection, treatment and disposal will be handled on-site by each individual lot or, possibly, at joint facilities shared by 2 or more of the lots.

A common access/utilities easement is proposed for the west 4 lots to be connected to a public driveway in Sequoia Parkway. This access/utilities easement will also be an emergency vehicle access easement with a fire dept. turnaround easement at the northerly terminus.

The easterly lot has frontage on both Sequoia Parkway and Walnut St., the proposed access to the lot is to be on the 45.3 feet of Sequoia Parkway frontage. This driveway will be located slightly more than 200 feet from the driveway to the westerly 4 lots. This lot also has 338 feet of frontage on Walnut street that could be used for access.

The City is considering a proposed street connection between Walnut St and Sequoia Parkway in the vicinity of this tax lot. A variety of locations for this connection have been proposed and evaluated at meetings with City staff, CUB and property owners and their representatives. Consensus was not reached, since any proposed route impacts property owners unequally. Even with the potential to augment affected properties with property from possible future vacation of Walnut St right of way property owner agreement was not achieved. This proposed subdivision does not

include a proposed road connection between Sequoia Parkway and Walnut St. A 5' wide right of way dedication on the Walnut St frontage is proposed for use in future Walnut St improvements.

Municipal Code Requirements:

Chapter 16.46 Access Limitations on Project Density

The proposal meets the aim of this chapter since 2 access points are proposed for 5 lots, 4 lots sharing one access point. The access points are spaced 230 feet apart.

Chapter 16.64 Subdivisions – Design Standards

Streets – The subdivision is served by existing public rights of way, Sequoia Parkway and Walnut St.. Sequoia Parkway is fully improved, Walnut St. is substandard and requires complete reconstruction to meet City standards. The access to the westerly lots will be by shared easement and the paved way will be constructed to meet fire vehicle access requirements.

Access – Shared access driveway is proposed serving 4 lots. The access points are spaced 230 feet apart and will both meet the sight distance requirements. The pavement in the easement area will meet requirements for fire truck, garbage collection vehicle, and general truck traffic. Sidewalks will be provided on the Sequoia Parkway frontage and in easement on the future improved Walnut St. frontage. On-site pedestrian access will be provided connecting buildings to the public sidewalks to ADA standards.

Blocks – This proposed subdivision does not create any blocks.

Easements – Access, utilities, emergency access and pedestrian access easements will all be provided on the plat. If required storm drainage easements can also be provided. There will be pedestrian access easements to connect public sidewalks with future buildings. A separate pedestrian way should not be required.
Solar easements will not be required.

Lots – The westerly 4 acres are divided into approximately 1 acre lots with access off a common driveway easement. This means that lots 2 and 3 do not have frontage on a public street. The access easement provides the same function as a public street without the reduction in area to create a public right of way.

Flag lots were considered but rejected in favor of the access easements since they provide the most economical use of the property.

Improvements – Sewer and water, public sidewalk, streetlights, street trees, driveways, signs and pavement will be installed to City of Canby standards. Power, telephone, cable and gas will be installed underground to the utilities standards. Storm drainage will be collected, treated and disposed of on-site for each lot. Lots may combine to discharge to a common facility sized to handle runoff from multiple lots.

Chapter 16.95 Solar Access

This chapter is applicable to development in residential zones so is not applicable to this development in a Light Industrial zone.

Additional Information:

The attached Tentative Subdivision Plat shows the proposed public sewer and water extensions proposed to provide service to the lots. The common driveway access easement will be at a grade close to the existing contours, complete construction plans will be provided at time of conditional approval. The storm drainage systems will be designed using site infiltration test results provided by the developers.

ZTec Engineers, Inc.

Civil ♦ Structural ♦ Surveying

3737 SE 8th Ave.

John McL. Middleton, P.E.

Portland, OR 97202

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Chris C. Fischborn, P.L.S.

(503) 235-8795

FAX: (503) 233-7889

E-mail: john@ztecengineers.com

May 8, 2007

ADDITIONAL NARRATIVE

Deed Restrictions: The final subdivision will include mutual maintenance agreements affecting lots 1 through 4 for the common access.

Subdivision Improvements: Sewer water, power, telephone, cable and gas services will be installed to all lots from the services available in Sequoia Parkway. Required Sequoia Parkway frontage improvements sidewalk and street trees will be installed when the frontage lots develop. The common access way to lots 1 through 4 will be installed as the lots develop.

No new public streets are proposed in this subdivision. Plan and profile for the onsite public sanitary sewer to serve lots 1 through 4 will be provided for City approval prior to submittal of the final plat.

Public Water system plans for serving lots 1 through 4 will be provided prior to submittal of the final plat.

Property Dedication: Lot 5 will dedicate 5 feet of frontage on the east side, Walnut street side of the lot with the recording of the plat. This is for future improvements on Walnut Street.

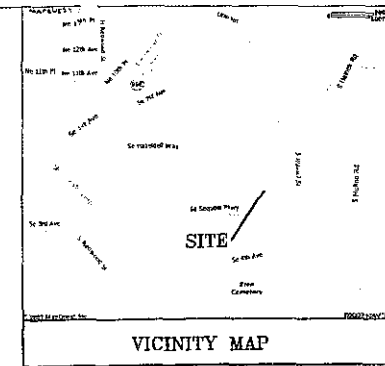
There are no Wetlands, natural drainage areas or areas in 500 year floodplain associated with this property.

Lot grading will be minimal with the subdivision. Future lot development will involve site grading to accommodate the future improvements.

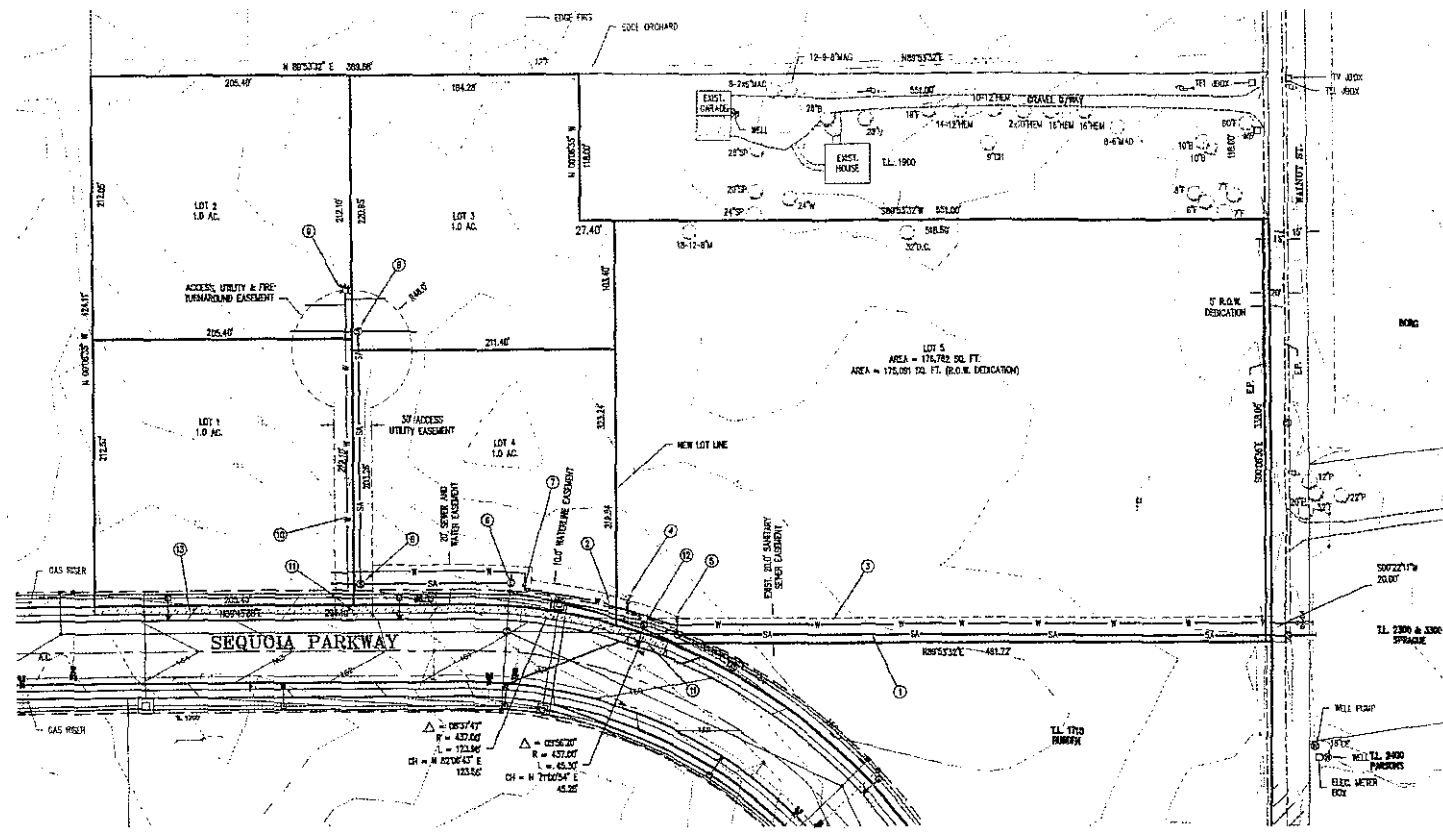
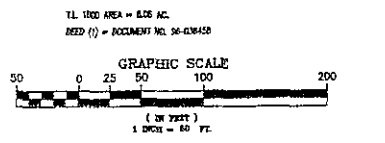
Traffic Analysis will be provided by the City and paid for by the developer.

J.B.S. Estates LLC certificate of existence is included with this application.

The development is not located in a Hazard Overlay Zone.



- LEGEND:**
- MONUMENTS FOUND AS NOTED
 - UR. R/W R.O.D.
 - LP. R/W R.O.D.
 - FD. FOUND
 - (M) MEASURED
 - SA — EXISTING SEWER
 - ST — EXISTING STORM
 - W — EXISTING WATER
 - SA — PROPOSED SEWER
 - ST — PROPOSED STORM
 - W — PROPOSED WATER
 - — EXISTING FENCE
 - — EXISTING SPOT ELEVATION
 - — EXISTING CONCRETE SIDEWALK
 - — EXISTING CONTROL
 - — PROPOSED CONTROL
 - — EXISTING FIRE HYDRANT
 - — EXISTING CATCH BASIN
 - — EXISTING STORM MANHOLE
 - — EXISTING SANITARY MANHOLE
 - — EXISTING LIGHT POLE
 - — EXISTING POWER POLE
 - — EXISTING WATER VALVE
 - — EXISTING WATER METER
 - — EXISTING STREET SIGN
 - — EXISTING TREE



- 1 PROPOSED PUBLIC SEWER EXTENSION TO BE CONSTRUCTED BY OWNERS OF T.L. 2300 & 3300.
- 2 8" PUBLIC WATER SERVICE TO BE CONSTRUCTED BY OWNER OF T.L. 1800.
- 3 TEMPORARY WATER SERVICE FOR T.L. 2300 & 3300 TO BE CONSTRUCTED BY OWNERS OF T.L. 2300 & 3300.
- 4 8" WATER SERVICE TO LOT 2.
- 5 8" SEWER SERVICE TO LOT 2.
- 6 EXISTING SEWER SERVICE TO T.L. 1800. INSTALL SAN. MAN.
- 7 EXISTING WATER SERVICE TO T.L. 1800. CONNECT NEW SERVICE TO LOT 2.
- 8 INSTALL SAN. MAN.
- 9 PROPOSED FILL
- 10 PROPOSED WATER MAIN EXTENSION FOR LOTS 1 TO 4.
- 11 INSTALL 30 FT. WIDE DRIVEWAY ACCESS.
- 12 RELOCATE EXISTING STREET LIGHT CLEAR OF DRIVEWAY.
- 13 INSTALL PUBLIC SIDEWALK ON PROPERTY FRONTAGE.

DATE	DESCRIPTION	BY	APPROVED	DATE

DATE	DESCRIPTION	BY	APPROVED	DATE

ZTec ENGINEERS Inc.
 Civil - Structural - Surveying
 3737 S.E. 5TH AVE., PORTLAND, OR. 97202
 Phone: (503) 235-8795 Fax: (503) 233-7889

PROJECT	TENTATIVE SUBDIVISION PLAT - STRUBLE	DATE	NOV-81
FOR:	STRUBLE MANUFACTURING	SCALE	1"=50'
DESIGNED BY	CANDY SPEAR	CHECKED BY	

C1

45

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: May 15, 2007

TO:

<input type="checkbox"/> FIRE	<input type="checkbox"/> CANBY POST OFFICE
<input type="checkbox"/> POLICE	<input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR
<input type="checkbox"/> PUBLIC WORKS	<input type="checkbox"/> CLACKAMAS COUNTY 911
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<input type="checkbox"/> CTA	<input type="checkbox"/> ODOT/REGION 1/DIST 2B
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<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CITY TRANSPORTATION ENGINEER
<input type="checkbox"/> BIKE AND PEDESTRIAN COMM	<input type="checkbox"/> BUILDING OFFICIAL
<input type="checkbox"/> PGE	<input type="checkbox"/> OTHER _____
<input type="checkbox"/> CANBY AREA TRANSIT	<input type="checkbox"/> OTHER _____

The City has received SUB 07-01, an application from J.B.S. Estates, LLC requesting a subdivision for a 4 lot M1 (Light Industrial) subdivision. The property has frontage on Sequoia Parkway and on Walnut Street in the Canby Pioneer Industrial Park.

Please review the enclosed application and return comments to **Kevin Cook** by **Wednesday, May 23, 2007**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

SEE ATTACHED MEMO

Please check one box and sign below:

- ☒ Adequate Public Services (of your agency) are available
- ☐ Adequate Public Services will become available through the development
- ☐ Conditions are needed, as indicated
- ☐ Adequate public services are not available and will not become available

Signature:

[Handwritten Signature]

Date:

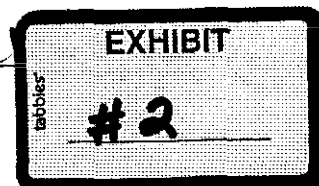
MAY 18, 2007

Title:

PROJECT ENGINEER

Agency:

CURREN MC



CURRAN-McLEOD, INC.
CONSULTING ENGINEERS

6655 S.W. HAMPTON STREET, SUITE 210
PORTLAND, OREGON 97223

May 18, 2007

MEMORANDUM

TO: Mr. Kevin Cook

FROM: Hassan Ibrahim, PE



**RE: CITY OF CANBY
STRUBLE MANUFACTURING (SUB 07-01)**

We have reviewed the submitted application pertaining to the above mentioned project and have the following comments:

1. No roadway cutting on Sequoia Parkway should be allowed except at the new driveway connection. An existing 8" sanitary sewer stub is available to serve this site.
2. A 6-foot wide sidewalks should be constructed along the entire site frontage with Sequoia Parkway including landscaping in the existing 5 -foot wide planter strip.

CANBY PLANNING DEPARTMENT REQUEST FOR COMMENTS

P.O. Box 930, Canby, OR 97013

(503) 266-7001

FAX 266-1574

DATE: May 15, 2007

TO:

<input type="checkbox"/> FIRE	<input type="checkbox"/> CANBY POST OFFICE
<input type="checkbox"/> POLICE	<input type="checkbox"/> CLACKAMAS COUNTY ASSESSOR
<input type="checkbox"/> PUBLIC WORKS	<input type="checkbox"/> CLACKAMAS COUNTY 911
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The City has received SUB 07-01, an application from J.B.S. Estates, LLC requesting a subdivision for a 4 lot M1 (Light Industrial) subdivision. The property has frontage on Sequoia Parkway and on Walnut Street in the Canby Pioneer Industrial Park.

Please review the enclosed application and return comments to **Kevin Cook** by **Wednesday, May 23, 2007**. Please indicate any conditions of approval you wish the Commission to consider. Thank you.

Comments or Proposed Conditions:

Please check one box and sign below:

- ☐ Adequate Public Services (of your agency) are available
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- ☐ Conditions are needed, as indicated
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Signature: _____

Date: _____

Title: _____

Agency: _____

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Signature: _____

Date: _____

5 - 22 - 07

Title: _____

ASSOCIATE ENGINEER

Agency: _____

CANBY TELCOM

**CANBY PLANNING DEPARTMENT
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P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: May 15, 2007

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Signature: Brian Van Snover **Date:** 5-21-07

Title: Engineering Supervisor **Agency:** NW Natural

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

P.O. Box 930, Canby, OR 97013

[503] 266-7001

FAX 266-1574

DATE: May 15, 2007

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Date: _____

Title: _____

Agency: _____

Canby Police Dept

**CANBY PLANNING DEPARTMENT
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Comments or Proposed Conditions:

Electrical Primary will need to be extended through the
development @ developer's expense See attached
conceptual drawing

Please check one box and sign below:

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Signature: [Signature] **Date:** 5-21-07

Title: Line Foreman **Agency:** Canby Electric
City Shops

Gary Kordenat
Canby Electric
City Shops

52

**CANBY PLANNING DEPARTMENT
REQUEST FOR COMMENTS**

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Comments or Proposed Conditions:

No traffic concerns at this time.

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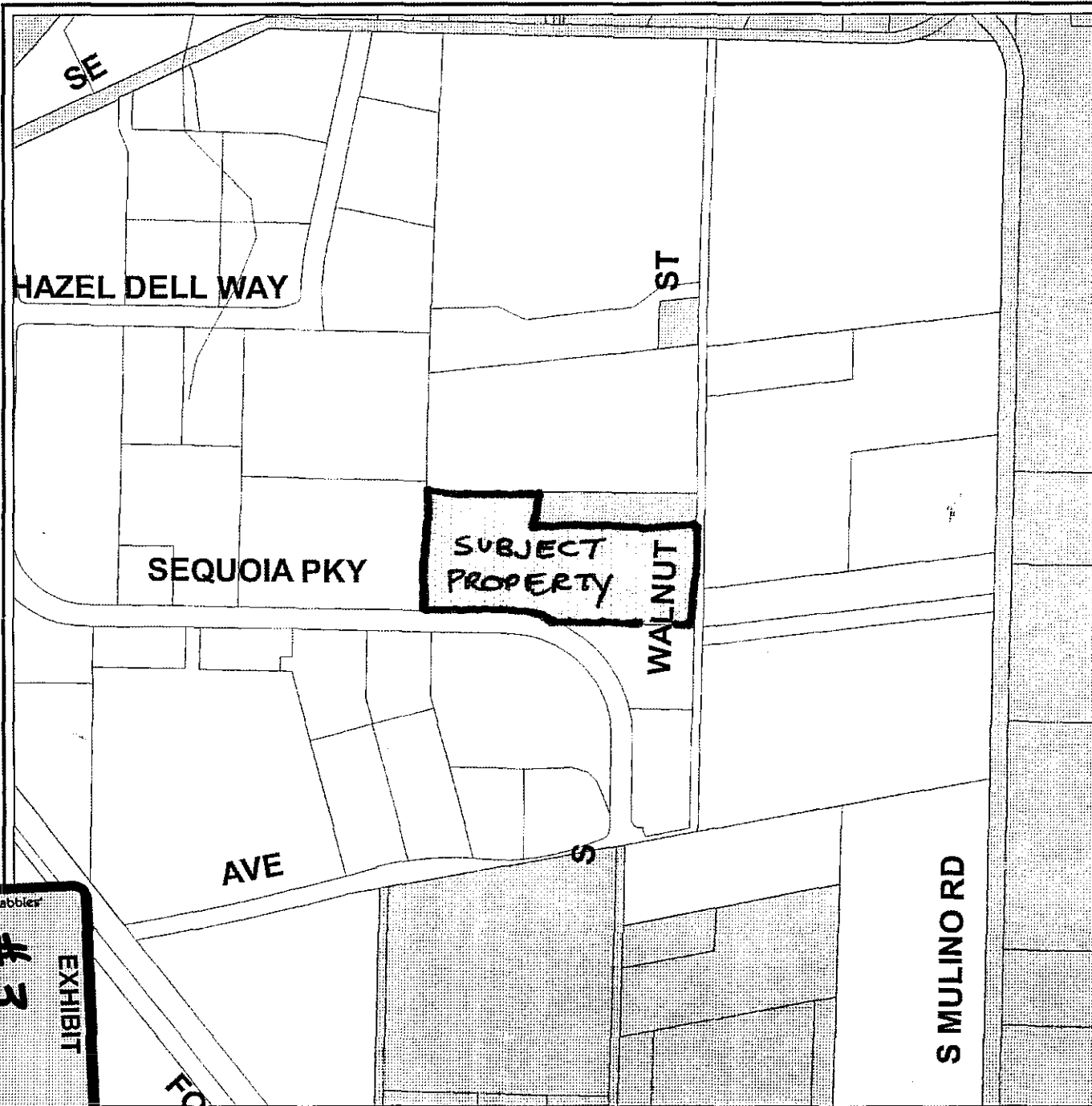
Signature: M. Arlene Elmore **Date:** _____

Title: Chairman **Agency:** Traffic Safety Comm.

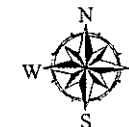
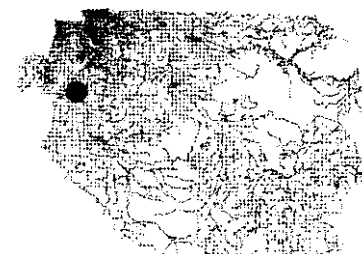
From: "Todd Gary" <tgary@canbyfire.org>
To: "Kevin Cook" <CookK@ci.canby.or.us>
Date: 5/24/07 2:45PM
Subject: SUB 07-01

Every thing looks good Access and fire hydrant are in place we will have to wait and see what is built to determine future needs

Todd Gary
Deputy Fire Marshal
Canby Fire District
tgary@canbyfire.org
Office: 503-266-5851
Cell: 971-563-7359
Pager: 503-938-1405



Vicinity Map SUB 07-01

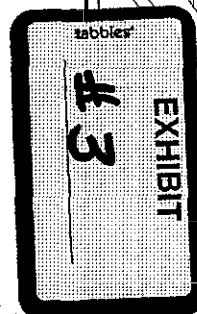


*Clackamas
County*

Geographic Information Systems
121 Library Court
Oregon City, OR 97045

This map and all other information have been compiled for preliminary and/or general purposes only. This information is not intended to be complete for purposes of determining land use restrictions, zoning, title, parcel size, or suitability of any property for a specific use. Users are cautioned to field verify all information before making decisions.

July 12, 2007 12:15 PM



9

12

TL 2101

TL 2100

T.L. 2000

T.L. 1800

T.L. 1800

WALNUT STREET (EXIST)
LOCAL STREET, FULL FRONTAGE IMPROVEMENTS
REQUIRED, 18' HALF STREET WIDTH, 5' ROW
DEDICATION, 12' EASEMENT ESTIMATED COST
\$200.00 PER FRONT FOOT.

TL 701

TL 2200

WALNUT STREET (NEW)
LOCAL STREET, FULL FRONTAGE IMPROVEMENTS
REQUIRED, 18' HALF STREET WIDTH, 20' ROW
DEDICATION, 12' EASEMENT ESTIMATED COST
\$200.00 PER FRONT FOOT.

TL 2300

TL 2300

TL 700

IMPROVED FRONTAGE
SEQUOIA PARKWAY

NEW WALNUT
ALIGNMENT

LOT 8

LOT 1

LOT 4

LOT 5

TL 2400

BURDEN ONE

LOT 7

LOT 2

LOT 3

LOT 6

TL 1800

MULINO ROAD
COUNTY COLLECTOR, FULL FRONTAGE
IMPROVEMENTS REQUIRED, 25' HALF STREET
WIDTH, 5' F DEDICATION, 12' EASEMENT
ESTIMATED \$226.00 PER FRONT FOOT.

TL 800

TL 2500

S.E. 4th AVENUE
3 LANE COLLECTOR, FULL FRONTAGE
IMPROVEMENTS REQUIRED, 25' HALF STREET
WIDTH, 37' ROW DEDICATION, 12' EASEMENT
ESTIMATED COST \$226.00 PER FRONT FOOT.

CITY OF CANBY
ZION MEMORIAL CEMETERY

TL 2600

4TH AVENUE

56

ORDINANCE NO. 1249

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CURRAN-MCLEOD, INC. CONSULTING ENGINEERS FOR ENGINEERING SERVICES ON AN APPROXIMATELY 1,850 FOOT EXTENSION OF SEQUOIA PARKWAY AND APPROXIMATELY 750 FEET OF IMPROVEMENTS TO S.TOWNSHIP ROAD; AND DECLARING AN EMERGENCY.

WHEREAS, the CITY OF CANBY has heretofore advertised and received proposals for municipal engineering services, completed oral interviews and selected CURRAN-McLEOD, INC. for the City's Engineer of Record; and

WHEREAS, CURRAN-McLEOD, INC. has provided facility planning, pre-design reports, preliminary engineering and cost estimates for engineering and construction for the extension of Sequoia Parkway and in the Pioneer Industrial Park; and

WHEREAS, the City of Canby has signed an intergovernmental agreement with the Canby Urban Renewal Agency assuring that the Agency will pay for all costs related to these road improvements; and

WHEREAS, the City of Canby anticipates the need to complete construction of an extension of Sequoia Parkway and S. Township Road as soon as possible;

WHEREAS, the City Council met and acting as the Contract Review Board for the Urban Renewal Agency, has reviewed this contract and believes it to be in the best interest of the City to accept such contract; now therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The Mayor and 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 CURRAN-MCLEOD, INC for engineering services on in an amount not to exceed \$187,000.

Section 2. Inasmuch as it is in the best interest of the citizens of Canby, Oregon, to complete this project as soon as possible, 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 therefore on Wednesday, September 5, 2007; ordered posted as required by the Canby City Charter and scheduled for second reading on Wednesday, September 19, 2007, after the hour of 7:30 pm at the Council Chambers at 155 NW 2nd Avenue, Canby, Oregon.

Kimberly Scheafer, City Recorder Pro-Tem

2nd Reading

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 19th day of September, 2007, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

ATTEST:

Kimberly Scheafer, City Recorder Pro-Tem

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

Chauvin J. J. J.

ORDINANCE NO. 1255

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH WITHNELL MOTOR COMPANY OF SALEM, OREGON FOR THE PURCHASE OF TWO 2008 DODGE CHARGER VEHICLES WITH POLICE PACKAGES FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canby wishes to purchase two new Dodge Charger vehicles with police packages for the City's Police Department; and

WHEREAS, the purchase will be made from Oregon Department of Administrative Services (DAS) in compliance with ORS 279.820 - 279.855 utilizing an existing solicitation for the State of Oregon Department of Transportation (ODOT) under State of Oregon Bid No. 5159 - PA; and

WHEREAS, DAS concurs with the City of Canby utilizing the existing solicitation and this purchase is in cooperation with the ORCPP; and

WHEREAS, Withnell Motor Company of Salem, Oregon submitted the low bid of Seventy-seven thousand, nine hundred ninety-seven dollars and seventy cents (\$77,997.70) for two Dodge Charger vehicles with police packages according to the required specifications of the State of Oregon; and

WHEREAS, the City Council meeting and acting as the Contract Review Board for the City of Canby has reviewed this bid and believes it to be in the best interest of the City to accept such bid; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. The Mayor and 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 Withnell Motor Company of Salem, Oregon for two Dodge Charger vehicles with police packages for the bid amount of Seventy-seven thousand, nine hundred ninety-seven dollars and seventy cents (\$77,997.70).

Section 2. Inasmuch as it is in the best interests of the City of Canby Police Department to put these vehicles into service as quickly as possible, an emergency is

2nd Reading

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hereby declared to exist and this ordinance shall 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 Wednesday, September 5, 2007 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 19, 2007 commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City hall in Canby, Oregon.

Kimberly Scheafer
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 19th day of September, 2007, by the following vote:

YEAS _____

NAYS _____

Melody Thompson, Mayor

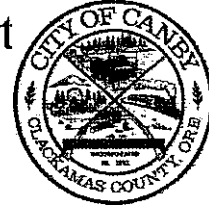
ATTEST:

Kimberly Scheafer,
City Recorder - Pro Tem

60

City of Canby Bi-Monthly Report

Department: Administration



For Months of: July & August 2007

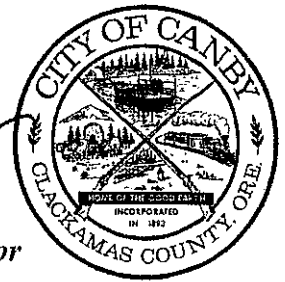
Date: September 10, 2007

Prepared by: Kim Scheafer, Executive Assistant/City Recorder Pro Tem

Through: Mark Adcock, City Administrator

1. **Business Licenses** – Thirty-five new business licenses were issued for the months of July and August 2007. One hundred sixty-three renewals were sent out.
2. **Complaints/Inquiries** – Forty-four complaints/inquiries were received for July and August. Forty of those have been resolved and thirteen were resolved within 24 hours.

COMMUNITY DEVELOPMENT UPDATE



TO: Honorable Mayor Thompson and City Council
FROM: John Williams, Community Development & Planning Director
DATE: September 11, 2007
THROUGH: Mark C. Adcock, City Administrator
RE: Community Development project status

Following is the status of major Community Development projects as of September 11. Please call me or the appropriate staff if you have any questions. At the end of this report you will also find a list of new land use applications and permit activity.

Items shown with * are completed and will be deleted from the next report; items underlined are new additions.

Street Projects

1. **SE 2nd Avenue CDBG project***. Construction is complete. *Background:* The Community Development Block Grant program is federal money to fund projects benefiting low-income areas. The project utilizes \$260,000 of CDBG funds with a \$95,000 City match. A future phase is designed to realign 2nd Avenue at Ivy.
2. **Street maintenance funding.** A final committee meeting to review all materials and the public outreach plan has been scheduled for September 24. *Background:* The Street Maintenance Funding Task Force is putting together recommendations to the Council on funding methodologies, amounts, and equity issues.
3. **99E/Territorial intersection***. This project is complete. *Background:* ODOT's \$2.97 million project fully signalized this intersection.
4. **99E/Ivy Intersection.** *No change.* ODOT is planning a minor project at this intersection to eliminate the often-hit signal pole in front of Ace Glass (there will be an extra-long armed pole coming from the 7-11 side). We are attempting to get pedestrian safety improvements included in this project. *Background:* ODOT has estimated costs on the full intersection renovation at \$1.5 million +. Costs include building improvements, underground tank removal, relocating signal poles, new sidewalks and crossings, and other activities.
5. **S. Berg Parkway.** Construction is almost complete, and the road should be open in September. Traffic calming projects on 13th Avenue are in the final design phase and will be constructed this fall. *Background:* ODOT provided \$1.23 million for this project, which will connect S. Berg Parkway near Highway 99E with SW 13th Avenue. The local match is coming from a combination of URD and SDC funds.
6. **Traffic calming.** *Ongoing.* The City Council has approved the use of SDC funds for traffic calming projects in FY 2007-2008. These projects are now starting the design engineering process; some may require Council approval via ordinance depending on final cost. *Background:* Matilda and a group of interested citizens have been looking at ways to slow traffic and increase pedestrian safety. Lessons learned here will also be applied to new streets. Matilda has also been working with a technical committee of local experts, including Public

Works, engineering, Canby Fire District, and First Student.

7. **2006-2008 CDBG applications.** The Council has awarded an engineering contract for this project, which is expected to move to construction this fall. We are having difficulty resolving stormwater issues with the federal government (!) on this project, which has resulted in delay. The Feds are asking for no net increase in impervious area, which is difficult as the entire project is constructing sidewalk where none currently exists.
Background: Clackamas County has awarded Canby \$200,000 to build sidewalks in areas of NW downtown Canby that currently have none.
8. **N. Pine/4th Avenue intersection.** *No change.* I have been working with property owners to see if there's any way to improve alignments at this troublesome intersection (by the Depot Museum). We will need a lot of cooperation because there is very little room to maneuver in this area. Unfortunately, we have not found a plan that works for all parties yet.
9. **N. Cedar/NW 3rd Avenue intersection.** *No change.* This intersection has alignment problems and vision clearance issues. We are drawing up a plan to realign the intersection and improve traffic flow and safety, which will be even more important as traffic flows increase from the new subdivision.
10. **North Baker Drive traffic safety issue.** Some signage has been installed at this time.
Background: Area residents brought a petition to the City to close the small access road between N. Baker Dr. and NW 6th Avenue.
11. **Truck routes.** *No change.* At Council's direction, staff will begin working on a review of Canby's truck routes. This work will be incorporated in a review of our street system being conducted by The Transpo Group, consulting engineers.
12. **Intersection of Sequoia and Hazel Dell Way.** We have added "cross traffic does not stop" signs at this intersection and hope this will increase safety. *Background:* This intersection is planned for a traffic signal in the City's Transportation System Plan. Funding could come from Urban Renewal or System Development Charges. Signal warrants are not currently met.
13. **Public Works Operations Manager.** This hiring process is underway.

Please see the Public Works monthly report for additional information on Public Works activities.

Wastewater Treatment Plant; sewer collections; storm water

14. **Baker Drive storm line repairs.** This work is underway following the Council's approval of the construction contract. *Background:* We are relocating a storm line on N. Baker Drive to relieve outfall in one area that has been experiencing storm water concerns.

Please see Darvin Tramel's monthly report for information on WWTP activities.

Cemetery

15. **Cemetery rates.** We continue to provide quarterly reports to the Council regarding sales activity following the fee increases in fall 2005. The latest report is attached. Sales activity

continues to be low.

Planning

- 16. Measure 37.** *No change.* The City has received a Measure 37 claim but it was for property outside City Limits. Staff has requested more information from the applicant about specific details of which of our zoning codes impact them at this time. *Background:* The City Council has approved Ordinance 1156 establishing a process for Measure 37 claims. Measure 37 will affect property owners who can demonstrate that a land use regulations adopted since they or their family acquired a piece of property reduced the value of their property. If this can be shown, such owners can ask the city to either waive the regulations or pay the property owner the difference in value.
- 17. Annexation process.** *No change.* The Planning Commission gave direction to staff on changes to the City's annexation process. Staff will be returning to the Commission with more detailed language at an upcoming meeting. *Background:* The Planning Commission and staff are working on a matrix idea focused on providing better information to voters about annexation proposals. Other concepts include a master planning requirement and reviewing our current criteria.
- 18. Neighborhood Associations.** *No change.* *Background:* the Council has officially recognized two new neighborhood associations: Riverside and Northeast Canby. Staff will continue to work with these groups to provide information and training.
- 19. Historic Review Board.** *No change.* The HRB is in need of new volunteers to keep the group energized. There are currently no regularly scheduled meetings of the HRB.
- 20. Northwood subdivision*.** Homes are under construction. *Background:* Northwoods applied to amend the City's Urban Growth Boundary to include approximately 30 acres of land north of Knight's Bridge Road and rezone it from Agricultural to low density residential. After a lengthy process in court and at LUBA, this application has been approved and the property can be developed at urban densities.
- 21. NE Canby Master Plan.** *No change.* Adoption of the concept plan is on hold pending completion of the City's TSP update. ODOT will not approve the plan as written (even though they funded it) because of future traffic problems at Canby's 99E intersections. These will need to be addressed by capital project scheduling in the TSP. *Background:* This \$75,000 grant project created a master plan addressing land use, design, parks/open space provision, and infrastructure issues for the area bounded by Highway 99E, SE 1st Avenue, Haines Road, and NE Territorial. The TGM program has allowed us to add several "peripheral" elements to this grant, including the development of a traffic model for Canby and an analysis of traffic projects needed to develop the Canby Pioneer Industrial Park.
- 22. N. Redwood Street master plan.** Final planning work is underway with neighbors and infrastructure providers. *Background:* This project will produce a comprehensive land use, parks, and infrastructure plan for the area between N. Redwood Street and OR 99E.
- 23. Stormwater planning.** *No change – ongoing work.* Planning staff is working with Darwin Tramel, Jeff Crowther, and Curt McLeod to address new DEQ/EPA requirements regarding stormwater disposal. We are working to develop a long-range vision for stormwater disposal

and a maintenance/financing plan.

24. **Quality of Life survey.*** *No change.* Matilda has sent out a follow-up survey to ask more detailed questions about park utilization. *Background:* The City Council has authorized staff to issue a statistically valid survey of Canby citizens to identify issues, shared values, and goals. This will be used as departments and the Council move forward.
25. **Traffic modeling.** *No change.* We will be reporting to the Planning Commission and Council soon on the first findings from the new traffic model. This will assist with planning a variety of projects, including Berg Parkway, the Arndt Road extension, and the signalization of Township and Ivy. *Background:* I have been working with Andy Mortenson at the Transpo Group to create a new traffic model for the City. This will assist us with traffic studies and planning efforts, and will make all of our work more accurate in the future. This effort is being funded partially by the Council's commitment of additional funds for the planning department in 2004-2005, and partially by grants from the State of Oregon and Metro.
26. **Subdivision design standards.** Contract negotiations are underway with the State of Oregon. *Background:* We have received a TGM grant for this project. It proposes to look at big issues – from stormwater provision, street design, and parks locations – and small issues, like pedestrian pathway design and fencing. This will lead to work with the Planning Commission and neighborhood groups on this topic and eventually to text amendments if agreement can be reached.
27. **North Fairgrounds rezoning.** This project is on hold until a new Associate Planner can be hired to take it over. *Background:* Associate Planner Kevin Cook worked with residents on the south side of NE 10th Avenue, on the north side of the County Fairgrounds, on a potential “downzoning” from medium to low density zoning. The Planning Commission reviewed this directed staff to prepare an overlay zone requiring lot consolidation prior to conversion to R 1.5 zoning.

Urban Renewal

28. **Development of ED Web Site.** *No change.* This site (www.canbybusiness.com) is being overhauled and redesigned by the City's web consultant to be more functional and compatible with the City's main site. *Background:* The goal is to have a very user-friendly economic development web site to serve as a home for our industrial and commercial recruitment efforts. This work became a priority as we've learned that many site selectors now do their initial research entirely on the internet and screen out communities that don't have easily accessible information.
29. **Urban Renewal Advisory Committee.** The Urban Renewal Advisory Committee currently has no meetings scheduled.
30. **Job creation/SDC waiver program.** Staff is working with legal counsel to develop forms and contracts to be used with several interested applicants. *Background:* The Agency has set aside \$100,000 in the FY 05-06 budget for a program to incentivize new construction and job creation within the URD.
31. **Site certification.** We are working with Clackamas County, the State of Oregon, and property owners to “recertify” the CPIP as each certification only lasts for two years. *Background:* A 163-acre section of the Pioneer Industrial Park has been designated as a “certified opportunity site” by the State of Oregon, greatly increasing its marketability.

Obtaining this certification was very time-consuming and we are hoping that the recertification process will be simpler.

32. **Downtown Redevelopment Grants.** *No change – ongoing.* Three of the four projects that grants were awarded to are moving forward at this time. *Background:* The Urban Renewal Agency approved this program to provide some incentive for property owners to construct mixed-use developments within Canby's commercial districts. The program offers a 1:1 match of up to \$3,000 towards architectural and financial studies of such projects. Funding for four projects was approved by the Agency.
33. **Facade improvement program.** *No change.* Construction is complete on the Canby *Herald* building. No other projects are currently in the works. *Background:* The URD has approved the use of funds for up to five grants for facade design work and no-interest loans for construction work. Staff is also working to finalize a program with West Coast Bank, who will be reviewing and funding the construction loans.
34. **Infrastructure Planning.** *Ongoing.* Staff continues to work with property owners on a plan to develop infrastructure for streets other than Sequoia Parkway in the Pioneer Industrial Park. *Background:* The Urban Renewal District is focusing investment on S. Sequoia Parkway, so infrastructure provision on the other roads (such as S. Walnut, S. Township, and SE 1st Avenue) requires coordination among property owners, which has proven to be difficult. Staff has developed a more detailed road system plan including street cross-sections and improvement costs for the CPIP, and has held several meetings with property owners to discuss implementation of the plan.
35. **Sequoia Parkway extension – Stage 5 (4th – Township).** We are working on ROW acquisition, tree assessment, and a myriad of roadway design issues. *Background:* In November 2006, the Agency directed staff to work toward constructing this section of roadway to facilitate future industrial development.
36. **Sequoia Parkway extension – Stage 6 (south of Township).** In November 2006 the Agency approved a Memorandum of Understanding with the Weygandts that establishes funding and cost allocation for the construction of this segment of road. *Background:* Sequoia Parkway will be continued to a location approximately 450' south of Township Road to enable development of industrial sites south of Township Road.
37. **Intersection of Sequoia and SE 1st Avenue*.** Construction is complete on this project, which made the intersection "right-in only" from Sequoia onto SE 1st. *Background:* Lancaster Engineering has completed a study of this intersection and we're working with property owners on implementation of the closure that will be required.
38. **Economic Development Manager.** Catherine Comer has been hired for this position and will start October 1. *Background:* The Urban Renewal Agency has approved the creation of a full-time economic development project manager.
39. **Activity in Canby Pioneer Industrial Park.** Following is the status of the projects that have moved into the public realm. We continue to work on a variety of other leads and projects that remain confidential at this point.
 - a. **Willamette Falls Hospital urgent care (6 acres – Sequoia/First Avenue).** Construction is basically complete. The Planning Commission agreed not to require any changes to the large rooftop mechanical unit.

- b. **Trend Business Center (4 acres – Sequoia Parkway):** Trend is starting the process to build additional buildings now that the first two are fully occupied.
- c. **Root Holdings (9 to 13 acres – Hazel Dell Way):** Grading permits have been obtained. *Background:* Gordon Root, an investor from West Linn, has acquired most of the remaining property between Hazel Dell Way and SE First Avenue. He is interested in a Comprehensive Plan Amendment to rezone this area to commercial, and has met with the Planning Commission, CBD Board, and Chamber Board to refine his ideas. Our goal is to ensure the project does not conflict or compete with the downtown core, so Mr. Root is focusing on users that would not fit downtown – such as a hotel and medium box stores.
- d. **American Steel (10 acres – Township Road):** Grading and preconstruction approvals have been issued and construction should be starting any day now.

NEW LAND USE APPLICATIONS, July and August 2007

In addition to the applications below, we received 12 minor applications including modifications, parking lot paving projects, lot line adjustments, and minor variances.

NCS 07-02 (McCormick/Allen) – Garage reconstruction project on S. Fir Street.

DR 07-08 (Zimmer) – A new Wilco Farm Store on S. Hazel Dell Way.

MLP 07-06 (McCollum/Cutsforth) – A three lot partition on N. Ivy Street.

APP 07-01 (JBS Estates) – Appeal to the City Council of the Planning Commission's decision on SUB 07-01.

Cemetery Sales Review														
2003-2004	Jul-03	Aug-03	Sep-03	Oct-03	Nov-03	Dec-03	Jan-04	Feb-04	Mar-04	Apr-04	May-04	Jun-04	Total	
Cemetery Plot (preneed)	3	3	1	4	1	2	3	2	4	1		5	29	
Cemetery Plot (full size)		2	1		1	3	4		2	2	1		16	
Cemetery Plot (not full size)		1		2	3						4		10	
Mausoleum Space (preneed)										2			2	
Mausoleum Space					2	2		1					5	
Niche Space (preneed)	2				1				2	1	3	4	13	
Niche Space					1								1	
Grave Open & Close (full)		3	4	1	3	8	9	2	4	4	6	3	47	
Grave Open & Close (cremains)	1	2		2	1	3	1			2	1	2	15	
Maus Open & Close		1			1	1					1		4	
Niche Open & Close		3		1	1								5	
Liner			3	1	1	6	6	1	2	3	5	1	29	
Weekend		2				2			2		2		8	
2004-2005	Jul-04	Aug-04	Sep-04	Oct-04	Nov-04	Dec-04	Jan-05	Feb-05	Mar-05	Apr-05	May-05	Jun-05	Total	Change from prior year
Cemetery Plot (preneed)	2	2	2	6	2	1	9	1	2	6	2	5	40	11
Cemetery Plot (full size)		1	3	1		1	2	1			1	1	11	-5
Cemetery Plot (not full size)		1	1								1	1	4	-6
Mausoleum Space (preneed)												2	2	0
Mausoleum Space			2										2	-3
Niche Space (preneed)	2				1		1	2	3			3	12	-1
Niche Space					1		2		1	1		1	6	5
Grave Open & Close (full)	1	4	7	5	5	2	8	4	5	2	2	5	50	3
Grave Open & Close (cremains)	2	2	4	1	1	2	2	1	5	3		1	24	9
Maus Open & Close			2						3			1	6	2
Niche Open & Close	1		2		1		2	1	2	1		1	11	6
Liner	2	3	2	5	3	4	5	3	4			3	34	5
Weekend		3				1		1	2		2	2	11	3
2005-2006	Jul-05	Aug-05	Sep-05	Oct-05	Nov-05	Dec-05	Jan-06	Feb-06	Mar-06	Apr-06	May-06	Jun-06	Total	Change from prior year
			Price increases effective September 1, 2005											
Cemetery Plot (preneed)	2	33			1		2	2		1		1	42	2
Cemetery Plot (full size)	1	2					2				1	2	8	-3
Cemetery Plot (not full size)		2						5			2		9	5
Mausoleum Space (preneed)						2							2	0
Mausoleum Space												1	1	-1
Niche Space (preneed)		4							2	1			7	-5
Niche Space		3	1							1			5	-1
Grave Open & Close (full)	2	5	1		4	1	5	3	3		6	7	37	-13
Grave Open & Close (cremains)	3	2			4	1	1	5	3	1	1		21	-3
Maus Open & Close												1	1	-5
Niche Open & Close	2	2	2	1	1			1	1	1		1	12	1
Liner	2	3	1		3		3	1	1		3	6	23	-11
Weekend	3	1			3		1	1					9	-2
2006-2007	Jul-06	Aug-06	Sep-06	Oct-06	Nov-06	Dec-06	Jan-07	Feb-07	Mar-07	Apr-07	May-07	Jun-07	Total	Change from prior year
Cemetery Plot (preneed)	2		1	2				2	1	3			11	-31
Cemetery Plot (full size)			1	1	1	1	1	1		2			8	0
Cemetery Plot (not full size)		1				3	1		1			4	10	1
Mausoleum Space (preneed)	2										1	2	5	3
Mausoleum Space									1				1	0
Niche Space (preneed)	4	1		2	2		3	1	7		10		30	23
Niche Space							1				1		2	-3
Grave Open & Close (full)	2	2	3	3	2	4	7	3	1	3	1	1	32	-5
Grave Open & Close (cremains)	1	5	1		1	2		1		3		4	18	-3
Maus Open & Close				1					1				2	1
Niche Open & Close		1	1	2	1		1	2	1	1	3		13	1
Liner	1	2	1	3	2	3	4	2	1	3	1	1	24	1
Weekend				1	2	1	1	1		1		1	8	-1
2007-2008	Jul-07	Aug-07	Sep-07	Oct-07	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Total	Change from prior year
Cemetery Plot (preneed)	2												2	-9
Cemetery Plot (full size)													0	-8
Cemetery Plot (not full size)													0	-10
Mausoleum Space (preneed)													0	-5
Mausoleum Space													0	-1
Niche Space (preneed)													0	-30
Niche Space													0	-2
Grave Open & Close (full)	2	1											3	-29
Grave Open & Close (cremains)	1	3											4	-14
Maus Open & Close													0	-2
Niche Open & Close	2												2	-11
Liner		2											2	-22
Weekend	1												1	-7

Canby Development

Monthly Report

July - August 2007

BUILDING PERMIT DATA

PERMIT TYPE	PERMITS ISSUED		VALUATION	
	Jul	Aug	Jul	Aug
BUILDING PERMITS - SFR	10	8	\$2,059,735	\$1,657,880
BUILDING PERMITS MULTIFAMILY	1	1	\$173,809	\$202,793
MECHANICAL	32	28	\$0	\$0
ADDITIONS NONRESIDENTIAL	6	6	\$584,000	\$268,500
ADDITIONS RESIDENTIAL	4	9	\$124,880	\$310,386
OTHER	6	5	\$634,889	\$590,554
MONTH	59	57	\$3,577,313	\$3,030,113
YEAR	336	393	\$21,774,375	\$24,804,488

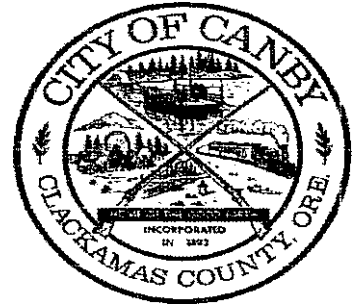
SDC FEES AND CHARGES UPDATE

	MONTH		YEAR
	Jul	Aug	
Stormwater Fees	\$1,558	\$959	\$8,823
Sewer SDC Fees	\$29,055	\$17,880	\$261,265
Construction Excise Tax	\$10,790	\$9,108	\$50,979
Parks SDC Fees	\$34,546	\$19,718	\$251,872
Transportation Improvement	\$33,060	\$20,392	\$216,640
Planning Department Fees	\$902	\$1,118	\$6,220
Advanced Financing	\$0	\$0	\$6,571
Business License	\$0	\$0	\$200
Building Department Fees	\$12,395	\$11,291	\$85,670

INSPECTIONS

	Jul	Aug
MONTH	411	406
YEAR	2482	2888

CANBY PUBLIC LIBRARY
BI-MONTHLY REPORT
July - August 2007



TO: Honorable Mayor Thompson
and City Council
FROM: Mark Adcock, City Administrator
Beth Saul, Library Director
PREPARED BY: Marty Moretty, Library Supervisor
DATE: September 10, 2007

Facility:

- *Reopened men's room – so far, so good.
- *Trees removed in front of Library since roots are pushing up the sidewalk and making a hazard. What to do as replacements will be considered when the next phase of the streetscape runs from 2nd to 3rd.
- *Plans are in the works to shift some collections and computers to allow for more space and to be ready for the new network system.
- *WiFi has only had a couple of glitches but is working great. We now have the capability to check the signal from the front desk computer.
- *The library is still collecting empty inkjet cartridges for recycling as a fundraiser (\$4 a piece) and it's successfully being filled!

Staff:

- *New work schedules created for implementation September 1st to coincide with reduction in open hours to the public.
- *Said goodbye to Bethany Riopelle our page of three years and to Irene Camacho who is going to on-call status due to new baby and all that a young family entails. We have started a replacement process and will be trying to "hold down the fort" until new hires and training are completed.
- *Mariann Hall has been selected as the City Volunteer of the Month for July for her work in creating the new staff schedule.

Programs:

- *With the start of another fiscal year, a new fundraising campaign has also started. With a goal of \$20,000 for the 06-07 year, \$15,597 was reached so a big thanks to all the Library patrons and community supporters who saw the need and contributed.
- *Family Nite was held on the 4th Thursday of July with Rick Huddle

and a night of stories and music: in August – lots of laughs for “kids” of all ages with Heather Pearl presenting the “Mz. Perl’s Variety Show”.

*The July Family Movie night was the new theatrical release of “Bridge to Terabithia” (kleenex served) and the August movie was “The Last Mimzy”.

*Summer reading was in full swing with over 1000 readers participating in “Get a Clue @ You Library”. Peggy and Mary Lou made sure that packets were made up in advance and we even had to get more coupons from Network since we had so many sign up. The program continued through August 8th with program attendance between 70 -100.

July’s events were a puppet show, crafting with letterboxes and fingerprints, and a bagpipe demonstration. August’s activities were a teen “Clue” game night, a lightning bug craft project and a musical finale “The Abalone Kidz”. Weather was good so most of the Friday events were held at Wait Park.

*Various local artists are displaying under the theme “Memoirs of a Beach” and will continue through the month of July.

*Raffle tickets for the City of Canby pottery continue to be sold through the 4th of July; Marilyn Patton a library patron and volunteer was the winner – and thrilled!

*New raffle in August for a quilt donated and pieced by library patron Eleanor Liberty.

*The Library was closed on the 4th of July.

*Participated in First Friday event in August and had a “mystery” book sale to go along with our summer reading theme.

Grants:

*Ready to Read Grant has been received and being used for family evenings, toddler story time, public performance rights and enhancing our story time collection.

*Volunteers:

*Contributed 394 hours for July and 424 hours for August assisting in shelving, sorting, pick lists, cataloging and processing, book mending, programs, shelf shifting, and cleaning.

*Library Board member Kriss Carpenter has resigned since his business has seen a move out of state. Thanks, Kriss for your years of service.

*Volunteer Abi Arnold spent “many” hours creating a window display for the 1st annual store front and window contest put on by the Chamber and sponsored by the Canby Rodeo. Thanks to Abi and her creative flair, the Canby Library won the “Best Use of

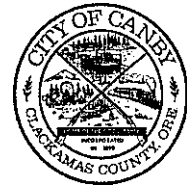
Theme” and “Best Historical Aspect”.....appropriate, don't you think? Abi and family were treated to the fair and went to their first RODEO!

Friends of the Library:

- *Sorting and shelving donations three times a week.
- *The 4th of July book sale netted over \$900 and thanks to Pat Sudgen and all the faithful volunteers, it was a huge success. The book sale room remained in tact with the sale books on the sidewalk and in the lobby. Great bargains and after the sale, \$3 netted a bag full of books.
- *In addition to setting up for a great First Friday booksale, the Friends also wheeled out carts with sale books (and balloons) for a sale during the Cruise-In at Wait Park.
- *Book club will resume in September to review “A Fine Balance” by Rohinton Mistry.

City of Canby Bi-Monthly Report

Department: Transit



For The Months of May-September, 2007

Date: September 11, 2007

Prepared by: Cynthia Thompson

Through: Mark Adcock, City Administrator

1. Funding Issues:

Grants:

Signed grant contracts since last bi-monthly report

- 1.) Tri-Met Special Transportation Formula Funding \$99,807
- 2.) State of Oregon contract 23971 5311 funds FY 07-08 \$218,703
- 3.) State of Oregon grant agreement 24300 – Jobs Access Reverse Commute \$69,050
- 4.) State of Oregon grant agreement 24301 – Vehicle Preventive Maintenance FY 07-09 \$37,687

BETC (Business Energy Tax Credits)

Merina & Company is certified the costs for Canby Area Transit's project period ending December 31, 2006 and the Dept of Energy called and said they found a pass-through partner. Merina & Company is currently reviewing CAT's BETC project period ending June 30, 2007.

2. Ridership:

CAT provided 223,728 rides in fiscal year 2006-2007 which is a 9% increase over last fiscal year. Saturday service grew by almost 7% compared to last year and Dial-A-Ride provided 2,490 more rides to seniors and people with disabilities than last year. Commuter and local fixed route service remained steady.

3.) Transit Master Plan

Wednesday, September 19, 2007 7:00-8:30 pm at Hope Village Community Center- CAT hosts the first public meeting to seek input from residents. The format of the meeting will be interactive and provide an opportunity for one-on-one discussion with City/CAT staff. The agenda includes a brief background on CAT, an overview of the progress to date on the Transit Master Plan and an opportunity for the public to learn about the state grant CAT received to make improvements to the local fixed routes. Participants will have an opportunity to share their ideas for improving local and Dial-A-Ride service

Public Input to date on the Transit Master Plan

- Over 150 surveys were collected at the Clackamas County Fair
- 500 rider surveys will be distributed on board CAT buses over the next 2-3 weeks

- Surveys will be available at the Community Meeting on September 19, 2007
- Web survey is available on-line at www.canbyareatransit.org click survey

Special Event Policy

Attached is a draft policy for providing incidental charters or special event trips for local non-profits and other organizations. CAT is partnering with Community Concert Series to pilot this effort and determine if this a service CAT can reasonably offer local organizations on a first-come, first serve basis. There are federal requirements and the limited nature of this service will be in compliance with federal law. If you have any questions or comments about this service please contact Cynthia at 503-266-4022 ext 251

Meetings attended:

Meetings:

Staff attended numerous local and regional meetings in addition to customary city staff meetings. The most notable regional meetings were the Regional Transportation Coordinating Committee and the Connect Oregon II grant orientation meeting

Conferences: CAT and OHAS staff will be attending the OTA Oregon Transit Association conference on October 22-24 in Seaside, Oregon.

Attach statistics or other information of interest.

- Annual Ridership Report
- Special Event Draft Policy

Canby Area Transit Ridership Since Inception

Fiscal Year	Total Ridership	Fixed Route Elderly & Disabled	Fixed Route Other	Paratransit Lift Dial-A-Ride
*2002-2003	84,013	4,107	79,907	3,529
2003-2004	159,483	8,400	151,083	5,530
2004-2005	198,420	11,672	186,748	9,669
2005-2006	205,119	13,712	191,407	12,958
2006-2007	223,728	13,790	210,000	14,776
Totals	870,763	51,681	812,082	46,462

*Service began September 02

DRAFT CAT POLICY

SPECIAL EVENTS

Original date of issue: 6/24/07

Revised:

PURPOSE: To provide safe, reliable, and equitable service to the community.

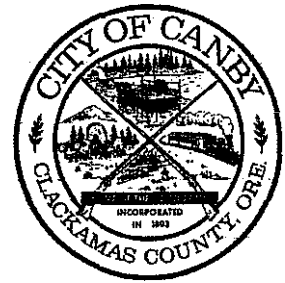
POLICY:

1. Special event trips are available to any Canby organization or resident.
2. Requests for service will be considered and based on driver/equipment availability.
3. First come, first served. Two week notice highly recommended. Less than two weeks on an availability basis only.
4. Trips must be within the Canby service area which is defined as within ¼ mile beyond the city limits of Canby. FTA regulations do not permit CAT to operate "charter service" that unfairly competes with the private bus industry.
5. Costs are based on \$50.00 per hour for the first 8 hours (2 hour minimum [\$100.00]), and \$1.00 per mile (including mileage between garage and pickup point). Time and one-half rates apply over 8 hours (\$75.00/hr). Time is rounded up to the next quarter hour (6 hours and 19 minutes of service is charged as 6 hours and 30 minutes). **Non profit organizations only:** Rates will be \$35 per hour and \$1.00 per mile, with time and one half rates being \$55.00/hr.

If customer's needs are beyond the scope of our guidelines or resources, you may wish to refer them to any local private bus carrier.

City of Canby Bi-Monthly Report

Department: Parks



For The Months of May-June

Date: August 31, 2007

Prepared by: Jeff Snyder, Park Maintenance Supervisor

Through: Mark Adcock, City Administrator

1. Issue/project: Park Renovations

The Community Park and Berg Parkway access realignment project has been completed. The park automatic gates are being reinstalled too the same specifications as the original installation. The overall park access portion of the project went smooth and looks good. Park patrons experienced minimal disruption during the project. Canby Excavating was very easy to work with and considerate of our need to access the park for maintenance during the construction process.

The Maple and Legacy restroom restoration projects are on schedule. The masonry walls, interior floors and roofing have been installed. Utility work has been scheduled and the mechanical top out portion of the project will be completed in the next couple of weeks. The final portion of the project will be sight work followed by the flat work and painters. Cedar Mill's job foreman estimates the completion of the restroom projects by the end of September.

At the North Woods Estates future park site, Fox Erosion Control and Landscape Inc. installed ninety percent of the irrigation system for phase one of the project. The progress of the irrigation system has come to a standstill since the middle of August. The irrigation system will be inoperable until the water source is installed and the parking lots are reconfigured to meet the approved plans.

2. Issue/Project: Park Maintenance

Parks staff has been busy with mowing, cleaning and performing landscape maintenance task. Dustin and Michael replaced all the wood on the garbage can receptacles at Wait Park. A lot of time was spent the last two months painting over graffiti and repairing vandalism. Irrigation repairs and adjustments were also tasks that dominated staff time. Parks staff installed extra conduits from the mechanical rooms in the new restroom buildings out to the borders of the construction site for future low voltage lines. The low voltage lines will be for future security lighting and irrigation systems at Maple and Legacy Parks.

Regular maintenance was performed at the 24 areas the Parks Department is responsible for, the Adult Center, Arneson Gardens Horticultural Park, Baker Prairie Cemetery, City Hall, Community Park (River), Eco Park natural area, Faist V property, Holly & Territorial welcome sign property, Hulbert's welcome sign property, Library, South Locust Street Park, Logging Road Trail and Fish Eddy/Log Boom property, Maple Street Park, Nineteenth Loop Natural area, Skate Park, Shop Ground, Swim Center, Legacy Park, Territorial Estates Future CLC Park, Transit Building, Transit Bus Stop, Triangle Park, Wait Park & Willow Creek Wetlands.

3. Issue/Project: City Facility Maintenance

Facilities maintenance request forms were received from City Hall (4), Transit (4), Adult Center (2) and the Library (5). It took 19.5 hours to complete the 15 request forms. Ronda Rozzell also had 59 hours of administrative time related to facilities maintenance. 78.5 hours total.

4. Issue/Project: Clackamas County Corrections Crews

C.C.C.C cleared the river bank at Community Park, performed litter patrols, string trimmed and spread wood chips in the Eco Park and weeded shrub beds. CCCC performed approximately 432 hours of labor for the City of Canby in the months of July and August.

Meetings attended:

Ben attended the City of Canby Safety Committee meetings.

Meetings were held with Cedar Mill Construction to discuss question regarding restroom design and utilities for Maple and Legacy Parks.

Meetings were held with Fox Erosion Control and Landscape Inc. to discuss irrigation design and layout at North Woods Estates.

Meetings were held with Canby Excavating Inc. to discuss Community Park access progress and time lines.

I attended a MACS board members retreat to discuss future projects.

Meetings were held with Wait Park event vendors to discuss the park user's needs and the appropriate utility operation procedures for their community events.

Attach statistics or other information of interest.

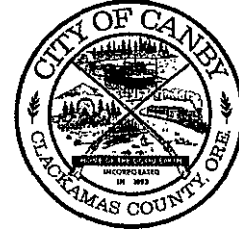
The Parks Department is responsible for 180 acres of property.

Parks staff has worked fifty three of the last sixty two days to provide support for the community events that were held in July and August.

City of Canby Monthly Report

Department: Police Department

To: Mark Adcock, City Administrator
From: Greg Kroeplin, Police Chief
For Months Of: July 2007 - August 2007



Community Activities

- 7/5/2007 Canby Adult Center / Assist in Serving Lunch, Lt. Tro
- 7/10/2007 Clackamas - Scouter's Mountain Boy Scout Camp / Greater Portland Kids, at risk kids summer camp, verbal presentation, Reserve Officer Bateman
- 7/13/2007 Zoar Lutheran Church / Herman Bergman Funeral, Chief Kroeplin
- 7/17/2007 Canby High School / Driver's Education Class Verbal Presentation, Sgt. Cunningham

Department Activity

- 7/2/2007 Western Storage / Move into storage facility, Chief Kroeplin, Lt. Tro, Sergeants, Toni Tracy, Detective Feters and Detective Britton
- 7/8/2007 Molalla Area / Assist with Search Warrant Service, Don Hemstreet and Officer Scharmota
- 7/9/2007 Canby Area / Multi-Agency Traffic Team (M.A.T.T.) Detail, Officer Deason and members of the Clackamas County Sheriff's Office and Molalla Police Department
- 7/10/2007 Canby Area / Distribute Popsicles in the local neighborhoods, Chief Kroeplin and Lt. Tro
- 7/31/2007 ACTIVE GRANTS
 - DUII Grant
 - Seatbelt Grant
 - Gang Suppression Grant
 - Underage Drinking Grant
- 7/31/2007 Reserve Officer Hours for July 2007
 - *125.5 hours

Department Activity

- 8/13/2007 Canby Area / M.A.T.T. Detail, Canby Police Department Traffic Division
- 8/30/2007 Salem / Auto Additions Customer Appreciation, Chief Kroeplin and Lt. Tro
- 8/31/2007 ACTIVE GRANTS
DUII Grant
Seatbelt Grant
Gang Suppression Grant
Underage Drinking Grant
- 8/31/2007 Reserve Officer Hours for August 2007
*121.50 hours
- 8/31/2007 M.A.T.T. (Multi-Agency Traffic Team)Detail for Month of August 2007:
- August 3 - Gladstone
 - August 6 - Sandy
 - August 13 - Canby
 - August 17 - West Linn
 - August 20 - Milwaukie
 - August 24 - CCSO HTC
 - August 27 - Lake Oswego
 - August 31 - Areas of CC
 - July 13 - West Linn
 - July 16 - Milwaukie
 - July 20 - CCSO
 - July 23 - Lake Oswego
 - July 27 - Molalla
 - July 30 - CCSO

Meetings

- 7/1/2007 CPD / Reserve Officers' Meeting, Sgt. Cunningham and Reserve Officers
- 7/3/2007 Oregon City Elks / Monthly Chief's Meeting, Chief Kroeplin
- 7/5/2007 Oregon City / CCITF Meeting, Chief Kroeplin
- 7/6/2007 Cutsforth's Thriftway / Rotary Club meeting, Lt. Tro
- 7/9/2007 Cutsforth's Thriftway / Kiwanis Meeting, Chief Kroeplin
- 7/11/2007 City Hall / Weekly meeting with Mark Adcock regarding PD Operations, Chief Kroeplin

Meetings

- 7/12/2007 Miller's Homestead Restaurant / Planning meeting for Rotary Nothing But Net event 07-28-2007, Lt. Tro
- 7/16/2007 Cutsforth's Thriftway / Kiwanis Meeting, Chief Kroeplin
- 7/17/2007 CCOM / TOPOFF Meeting, Lt. Tro
- 7/18/2007 CPD / Staff Meeting, Chief Kroeplin, Lt. Tro, and Sergeants
- 7/18/2007 City Hall / Weekly Meeting with Mark Adcock regarding PD operations, Chief Kroeplin
- 7/19/2007 City Hall / Post Agenda Meeting, Chief Kroeplin
- 7/20/2007 City Hall / Meeting with citizen and Mark Adcock to discuss gang issues, Chief Kroeplin
- 7/23/2007 Cutsforth's Thriftway / Kiwanis Meeting, Chief Kroeplin
- 7/25/2007 CPD / Staff Meeting, Chief Kroeplin, Sergeants, and Toni Tracy
- 7/26/2007 City Hall / Meeting regarding gang issues with citizen, Mark Adcock, and Chief Kroeplin
- 7/30/2007 CPD / Meeting with Frank Berg and Bill Harper regarding next step for Project Manager on new Police and Court Facility, Chief Kroeplin and Toni Tracy
- 7/30/2007 Cutsforth's Thriftway / Kiwanis Meeting, Chief Kroeplin
- 8/1/2007 CPD / Staff Meeting, Chief Kropelin, Sergeants, and Toni Tracy
- 8/1/2007 City Hall / Meeting with Clackamas County Law Enforcement regarding fair security issues, Chief Kroeplin, Sgt. Kitzmiller, Sgt. Schoenfeld, Officer Di Cenzo
- 8/2/2007 Oregon City / CCITF Meeting, Chief Kroeplin
- 8/2/2007 City Hall / Post Agenda Meeting, Chief Kroeplin
- 8/6/2007 Cutsforth's Thriftway / Kiwanis Meeting, Chief Kroeplin
- 8/7/2007 Oregon City / Monthly Chief's Meeting, Chief Kroeplin
- 8/7/2007 City Hall / Agenda Meeting, Chief Kroeplin
- 8/8/2007 CPD / Meeting with Matilda Deas regarding community surveys, Chief Kroeplin and Toni Tracy
- 8/9/2007 City Hall / Meeting with Bill Harper, Project Manager, Chief Kroeplin and Toni Tracy
- 8/9/2007 City Hall / Review of Fair Operations Plan, Chief Kroeplin and other members of the department

Meetings

8/13/2007 Cutsforth's Thriftway / Kiwanis Meeting, Chief Kroeplin

8/14/2007 CPD / Law Enforcement Fair Briefing (all week 08-14-2007 through 08-19-2007), Members of the Canby Police Department and surrounding law enforcement agencies

8/14/2007 CFD / Fair briefing, members from Canby Police Department

8/16/2007 CFD / Fair briefing, members from the Canby Police Department

8/17/2007 Cutsforth's Thriftway / Rotary Meeting, Lt. Tro

8/20/2007 Cutsforth's Thriftway / Kiwanis Meeting, Chief Kroeplin

8/20/2007 CPD / Meeting with Fire Dept. regarding TOPOFF, Chief Kroeplin and Lt. Tro

8/21/2007 Canby City Hall / Safety Committee Meeting, Toni Tracy

8/22/2007 Oregon City / CCOM Member Board Meeting, Chief Kroeplin

8/22/2007 Canby / Meeting regarding Underage Drinking Grant, Lt. Tro

8/22/2007 Gladstone / CCOPS Meeting, Chief Kroeplin

8/22/2007 City Hall / Weekly Meeting with Mark Adcock regarding PD Operations, Chief Kroeplin

8/23/2007 Club Fit / Meeting regarding Fun Run, Lt. Tro

8/23/2007 Canby Shell / Meeting with new owners to review OLCC permit, Chief Kroeplin

8/24/2007 Cutsforth's Thriftway / Rotary meeting, Lt. Tro

8/24/2007 CPD / Meeting with Senator Kurt Schrader regarding gang issues and funding, Chief Kroeplin, Lt. Tro, and Officer Di Cenzo

8/27/2007 Cutsforth's Thriftway / Kiwanis Meeting, Chief Kroeplin

8/27/2007 City Hall / Agenda Meeting, Chief Kroeplin

8/28/2007 CPD / Meeting regarding Todo Juntos, Lt. Tro

8/29/2007 CPD / Staff Meeting, Chief Kroeplin, Lt. Tro, Sergeants, and Toni Tracy

8/29/2007 City Hall / Council Work Session regarding Project Manager introduction for new Police/Court Facility, Chief Kroeplin, Lt. Tro, Sergeants Schoenfeld and Kitzmiller, and Toni Tracy

8/29/2007 CPD / Meeting with FBI Background Investigator regarding Lt. Tro's attendance at FBI Academy, Chief Kroeplin and Lt. Tro

8/31/2007 Cutsforth's Thriftway / Rotary Meeting, Lt. Tro

Monthly Stats

7/31/2007 Gang Related Calls / July 2007 - 38

7/31/2007 July 2007 Department Stats

- *Calls for Service / 1722

- *Crime Reports / 94

- *Adult Arrests / 110

- *Juvenile custody / 15

- *Injury Crashes / 1

- *Non-Injury Crashes / 6

- *Citations Issued / 532

- *Front Counter contacts / 173

8/31/2007 Gang Related Calls / August 2007 - 136

8/31/2007 August 2007 - Department Stats

- *Calls for Service / 1950

- *Crime Reports / 73

- *Adult Arrests / 123

- *Juvenile custody / 26

- *Injury Crashes / 0

- *Non-Injury Crashes / 9

- *Citations Issued / 432

- *Front Counter contacts / 161

Other Activities

7/1/2007 Year-End Local Diversion Program Statistics (July 2006 - June 2007)

- Total Number of Youth Referred - 50

- Total Number of Youth Enrolled - 36

- Total Number of Youth Enrolled w/o two risk factor - 3

- Total Number of Youth with full or partial completion of IDA (agreement) - 31

- Total Number of Youth Successfully Reviewed and Closed - 7

- Total Number of Youth referred back due to unable to contact, refused contact, inappropriate referral or recalled by the juvenile department - 6

- Total Number of Community Service Hours Assigned - 172

- Total Number of Community Service Hours Completed - 134.5

- Total Number of Volunteer Hours Served - 36

Other Activities

- 8/28/2007 Salem Civic Center / Retirement Dinner for Marion County Sheriff Ramirez, Chief Kroeplin
- 8/30/2007 Woodburn / Funeral for retired Police Chief Ken Wright-Woodburn PD, Chief Kroeplin

Training

- 7/18/2007 Canby Rod and Gun Club / Mandatory Firearms Training, Sworn Personnel (to include Reserve Officers)
- 7/23/2007 Canby Area / Monthly Tactical Entry Team (T.E.T.) Training, Member of the T.E.T. Team

Monthly Report

From: Eric Laitinen, Aquatic Program Manager

Date: September 4, 2007

Re: July and August Report

The Canby Swim Center has last summer day is today and fall maintenance will begin tomorrow. The pool will be closed for the next two weeks September 2-16th and will re-open with the fall schedule on Monday September 17th at 5:00am. This summer was the shortest ever at 10 weeks, Canby Schools got out late in June and they start again the 4th of September. The last two summers we have had to be very creative in order to make the same money in less time. I am happy to report we were successful again this summer. The Attendance and Revenue numbers were very good this last two months. The Attendance is almost identical to last year and the revenue for July and August was up \$3,300.00. Last year there were a few patrons wary of our summer schedule because we really get as much into every hour that we can, but this year it was more like old hat, everyone seemed happy.

During Maintenance this year David Biskar and the crew will be cleaning the pool tank and will be getting some much needed service done on the ventilation system. Of course there will be a lot of scrubbing and painting going on the whole time. David also does a mechanical reconditioning of all the pool pump and sanitation systems. This year we will be getting a little work done on the staff office to make it a little less cluttered. I sure this is only part of David's list, as it be it will be a very busy time at the pool the next two weeks.

The Canby Swim Club is down on its numbers this summer but continues to be very successful. The Canby Gators had 15 swim at the state meet and eight swimmers qualify for Age Group Sectionals. Two Gators were Senior Sectional qualifiers Spencer Polack and Samantha Smith. Samantha and Tyson Polack dropped enormous amounts of time over the summer and had a great state meet. Samantha and Tyson were also chosen by Oregon Coaches to go to Farmington, New Mexico with the Oregon Zone All Star team. The Gators finished up at the Bend Open where 25 swimmers from Canby swam at the meet with a very good placing of 4th out of 18 teams. *The Canby Gators are very proud to have four 2007 CHS graduate swimmers continuing their education and swimming careers this fall.* Brandan Mantei will be swimming at Pacific University and Rachel Polack and Karriann Benthin are going to Oregon State to swim at NCAA division I. Morgan Scroggy begin swimming with the Canby Gators at 5 years old, will be at Georgia, on Scholarship, continuing her quest to make the USA Olympic Swim Team. Morgan became the first Canby Swimmer to become state champion, and four time state champion. Morgan swam to a first place finish in all four of her individual races both years swimming for Canby High. Wow, what a year!

FROM : ERIC LAITINEN, AQUATIC PROGRAM MANAGER
SUBJECT: MONTHLY REPORT FOR JULY 2007
DATE: SEPT 4, 2007

	ADMIT	ADMIT	PASS	PASS	TOTAL	TOTAL	YTD TOTAL	YTD TOTAL
CANBY SWIM CENTER	2006	2007	2006	2007	2006	2007	06-07	07-08
JULY 2007								
MORNING LAP	29	45	233	274	262	319	262	319
ADULT RECREATION SWIM	40	57	513	581	553	638	553	638
MORNING WATER EXERCISE	273	299	0	0	273	299	273	299
PARENT/ CHILD	330	279	0	0	330	279	330	279
MORNING PUBLIC LESSONS	1640	1900	0	0	1640	1900	1640	1900
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	55	81	145	136	200	217	200	217
FAMILY SWIM	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	921	884	140	85	1061	969	1061	969
PENGUIN CLUB	704	693	0	0	704	693	704	693
CANBY H.S. SWIM TEAM	0	0	0	0	0	0	0	0
CANBY SWIM CLUB	0	0	655	531	655	531	655	531
MASTER SWIMMING	0	24	0	0	0	24	0	24
EVENING LESSONS	1454	1291	0	0	1454	1291	1454	1291
EVENING LAP SWIM	76	83	87	60	163	143	163	143
EVENING PUBLIC SWIM	951	900	193	91	1144	991	1144	991
EVENING WATER EXERCISE	104	109	0	0	104	109	104	109
ADULT LESSONS	0	35	0	0	0	35	0	35
GROUPS AND RENTALS	249	335	0	0	249	335	249	335
WATER POLO	0	0	0	0	0	0	0	0
OUTREACH SWIMMING	192	266	0	0	192	266	192	266
TOTAL ATTENDANCE	7,018	7,281	1,966	1,758	8,984	9,039	8984	9039

SUBJECT: MONTHLY REPORT FOR AUGUST 2007
DATE: SEPT 4, 2007

	ADMIT	ADMIT	PASS	PASS	TOTAL	TOTAL	YTD TOTAL	YTD TOTAL
CANBY SWIM CENTER	2006	2007	2006	2007	2006	2007	06-07	07-08
AUGUST 2007								
MORNING LAP	35	30	196	279	231	309	493	628
ADULT RECREATION SWIM	63	60	539	608	602	668	1155	1306
MORNING WATER EXERCISE	232	296	0	0	232	296	505	595
PARENT/ CHILD	304	435	0	0	304	435	634	714
MORNING PUBLIC LESSONS	1485	1388	0	0	1485	1388	3125	3288
SCHOOL LESSONS	0	0	0	0	0	0	0	0
NOON LAP	84	75	120	135	204	210	404	427
FAMILY SWIM	0	0	0	0	0	0	0	0
AFTERNOON PUBLIC	604	774	193	73	797	847	1858	1816
PENGUIN CLUB	600	515	0	0	600	515	1304	1208
CANBY H.S. SWIM TEAM	0	0	0	0	0	0	0	0
CANBY SWIM CLUB	0	0	499	285	499	285	1154	816
MASTER SWIMMING	0	13	0	0	0	13	0	37
EVENING LESSONS	1396	1300	0	0	1396	1300	2850	2591
EVENING LAP SWIM	46	78	75	45	121	123	284	266

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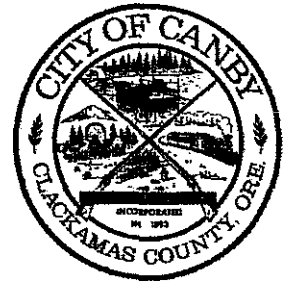
City of Canby Monthly Report

Department: PUBLIC WORKS

For Month of: July 2007

Date: August 1, 2007

Prepared by: Dan Mickelsen



1. Streets:

- Picked up barricades from 4th of July events.
- Set out barricades for NW 2nd Street closure.
- Prepared and equipped for crack sealing job on Birch Street 7-9-07.
- Mobilized and closed S Birch Street, then crack sealed in preparation of paving job. Birch Street was closed for 24 hours.
- Removed traffic lines on Sequoia Parkway in preparation of new change in traffic flow.
- Sprayed weed killer on 99E medium at Fred Meyer.
- Picked up traffic paint in Salem.
- Swept streets, 7-13-07.
- Swept and lay out done on Sequoia Parkway and SE 1st Ave for new stripping.
- Swept streets 7-16-07.
- Painted traffic lines on Sequoia Parkway, 7-19-07.
- Swept streets, 7-20-07.
- Painted traffic lines on Sequoia Parkway, 7-23-07.
- Painted traffic lines on Sequoia Parkway, 7-25-07.
- Swept NW 3rd Ave for the 3 on 3 basketball tournament 7-26-07.
- Painted pavement markers around town.
- Put barricades out for three separate road closures.
- Inspected new curb on S Birch Street.
- Painted centerlines on S Locust Street.
- Repaired or fixed (8) complaint forms for the month of July.
- Completed (57) locates for the month of July.

2. Sewer, Erosion Control and Storm System:

- Pulled both pumps at 3rd and Baker lift station, plugged again with rags.
- Did inspection at Burger King on storm system.

- Cleaned Willow Creek Lift Station of grease.
- Unplugged sewer main on S Knott at SE 3rd Streets.
- Washed sewer mains on S Knott and SE 3rd Streets.
- Dye tested the sewer lateral at Dr. Perman's office 7-13-07.
- Tried to identify the sewer piping at future Andrus Building site by TVing and locating.
- Checked on beaver dam on S Elm Street.
- Checked on Willow Creek and 3rd and Baker lift stations.
- TV'd SW 2nd Ave for sewer locate of old Mod-Com Building.
- Located sewer lateral for home owner.
- Inspected and completed (13) erosion control applications and permits for the month of July.
- Inspected (4) sewer laterals for the month of July.

3. Street Sign/Trees/Lights:

- Worked on street signs.
- Trimmed tree limbs away from stops signs.
- Removed (2) Maple trees in front of Library.
- Trimmed low limbs on Black Walnut tree for 3 on 3 basketball tournament.
- Repaired signs that were covered in graffiti.
- Repaired/replaced (4) street lights for the month of July.

4. Miscellaneous:

- Cleaned up and hauled dirt away from Shop Complex.
- Hauled bicycles from the Police Station to the Shops.
- Cleaned up and moved out equipment from covered parking area for the beam replacement project.
- Roy retired and clean out his desk 7-31-07.

Meetings attended:

- Met with contractor at Canby High School on SW 2nd Street project.
- Met with fence contractor at N Pine Street about property line issue.
- Met with paving contractor on S Knott about ditch line repair.

- Met with McLeod Engineering and K & E Construction representative on repair work paving on SE 2nd Street.
- Met with Kersey Construction on SE 1st Street issues.
- Met with Canby Excavating on SE 2nd and S Birch Street issues.
- Attended meeting about the beam replacement.
- Met with engineer and contractor on stripping and signing on SE 1st Avenue.
- Attended pre-application meeting for Orchard Apartments Phase 3.
- Met with Mark Wharry on S Birch Street improvements.
- Met with citizen about sewer problems.
- Attended pre-construction for Locust Corners Subdivision.
- Met with contractor on storm lines at N Baker Drive.

Monthly Report – August 1-31, 2007

1. Streets:

- Cleaned road oil off of the cones.
- Worked on parking issues at Northwood Estates.
- Painted street cross walks and stop bars.
- Swept streets, ½ day, 8/2/07.
- Swept streets, 8/3/07.
- Picked up barricades from street closures, S Locust and Art Show.
- Inspected curb and approach on SW 4th Ave. at the High School and City's connection.
- Swept streets, 8/21/07.
- Inspected driveway approach.
- Did investigation and inspection on curb and sidewalk on N Baker.
- Inspected 1st lift of asphalt on S Berg Parkway.
- Completed final walk through on 99E and Territorial Road.
- Painted cross walks around schools.
- Measured Sequoia Parkway, S Pine, S Redwood, 99E to SW 13th Street.
- Set out barricades for the car show.
- Swept streets, part day, 8/24/07.
- Picked up barricades from car show.
- Cut stripe material and got supplies ready to stripe S Berg Parkway.
- Stripped Berg Parkway with 3M Roll-in-Tape.

- Inspection of SE 1st Avenue and SE 2nd Avenue. Filled out completion form sign off sheet.
- Swept downtown, 8/31/07.
- Repaired or fixed (13) complaint forms for the month of August.
- Completed (28) locates for the month of August.

2. Sewer, Erosion Control and Storm System:

- Worked on storm line information on N Baker and reviewed with John Kelly.
- Repaired man hole riser knocked out of place by contractor on SW 4th Ave. Had to wash lines to get rid of rocks.
- Worked on Willow Creek lift station.
- Tried to repair loose man hole cover on S Douglas.
- Washed sewer main on SE 4th Ave.
- Dug up and repaired sewer pressure line along the Logging Road that comes from the 34th Street lift station.
- Washed sewer main, TV'd and dye tested the line in the alley between N Holly and N Grant Streets between NW 1st and 2nd Avenues.
- Used push camera to located damaged lateral and lost camera head. Had to dig it up to retrieve it.
- Repaired sewer connection at 1770 N Maple Street.
- TV'd sewer line on Berg Parkway.
- RegROUTED sanitary sewer ring on man hole along Logging Bridge Road trail "citizen complaint".
- Worked on Knights Bridge sewer lift station problem had an electrician help.
- Inspected and completed (12) erosion control applications and permits for the month of August.
- Inspected (11) sewer laterals for the month of August.

3. Street Sign/Trees/Lights:

- Refaced "No Parking" signs for NE 4th Ave.
- Call out for downed tree on S Ivy Street.
- Trimmed and cleaned up broken limbs off of Walnut tree at NW 6th and N Holly Streets.
- Installed stop signs on new gate at City Shop complex.

- Repainted stop sign back due to graffiti.
- Repaired/replaced (7) street lights for the month of August.

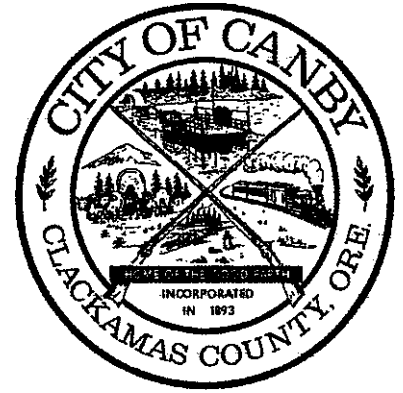
4. Miscellaneous:

- Finished the clean up for the “Beam Crew” in the parking bays.
- Reviewed and made comments on the new school bus facility.
- During Fair week we put out barricades for the Kiddy Parade, more “No Parking” signs, etc.
- Helped CUB with Vactor Truck on S Douglas Street.
- Installed stop signs on new gate at the City Shop Complex.
- Previewed plans for American Steel.
- Cleaned warehouse.
- Picked up order at Traffic Safety.
- Received price quotes for traffic calming on SW 13th and then discussed with John Williams.

Meetings attended:

- Met with John Kelly and Dirk on N Baker storm line.
- Met with contractor on the SW 4th (High School) project on curb and approach issues.
- Met with the representatives at the Viet Nam Memorial site on erosion control issues.
- Met with John Williams on funding projects.
- Plan preview of CUB’s WTP project – need more information.
- Met with Curt McLeod and Canby Excavating representative on Sequoia Parkway to Walnut Street.
- Met with contractor at School Bus Yard project.
- Had labor mediation session.
- Met with representative with Dinsmore Estates about tree removal for sanitary sewer installation.
- Met with concrete contractor at Northwood Estates on parking area.

**WASTEWATER TREATMENT FACILITY
MONTHLY REPORT**



To: *Honorable Mayor Thompson, City Council*

From: *Mark Adcock*

Through: *John Williams*

Prepared by: *Darvin Tramel*

Subject: *July & August 2007 Wastewater Treatment Report*

Date: *August 30, 2007*

Facility Operations & Maintenance & Construction:

During the past two months operations at the facility have been outstanding, this summer's water quality has been exceptional, with no interruption of services or violations for any months. Staff at the facility have optimized all process parameters and we are well below all water quality requirements. I would like to commend my staff for their commitment and the pride they take in maintaining and operating the City of Canby Treatment facility. Please, feel free to visit your treatment facility at any time. It can be a great motivator of staff, when council and upper management take the time to show a true interest in their work.

Staff and the summer intern have worked diligently on grounds maintenance and the cleaning and power washing of all concrete tanks and surfaces. Currently staff and I are working on the cleanup of the old City maintenance yard and debris located in the back corner of the treatment facility. This area has been an eye sore for several years. We have power washed all storage sheds, painted their surfaces, removed scrap metal, and are currently putting down new gravel surfaces on the old road way and maintenance yard area.

Maintenance activities for the months of July and August included the following:

- Replacement of the heat pump in the main office building by Roth Heating
- Installed new mechanical seals and a vacuum pump on the Pista Grit
- Repaired a broken diffuser chain in the Waste Activated Sludge Holding tank
- Replaced thermals on the Odor Scrubber
- Installed and replaced coupler attachment on the Skidsteer bucket
- Tri-County Pest sprayed the facility buildings for spiders, ants and pests
- Removed and ordered Lime Silo tank mixer

Construction activities for the month of July and August included a small contract with Northwest crane for the installation of a Jib Crane in the RAS building. The crane will be used to remove motors and pumps from the lower section of the RAS room. It was a safety issue moving 500 lb motors and pumps on a dolly, up a stair case with limited access. Other note worthy activities included meetings and discussion with Curran & McLeod engineering on the design work for the Phase III upgrade, and a presentation by Fenton Industries highlighting their Class A Sludge Drying unit.

JULY

<u>New Connections:</u>	17
<u>Total Connections:</u>	5683
<u>Average Flow:</u>	1.0832 mgd
<u>E. Coli</u> :	4

Monthly Averages:

<u>Effluent BOD₅:</u>	2 mg/l
<u>Effluent CBOD₅:</u>	1 mg/l
<u>Effluent TSS:</u>	5 mg/l

AUGUST *(Estimates only)

<u>New Connections:</u>	< 20
<u>Total Connections:</u>	<5700
<u>Average Flow:</u>	<1.1000 mgd
<u>E. Coli</u> :	<10

Monthly Averages:

<u>Effluent BOD₅:</u>	<5 mg/l
<u>Effluent CBOD₅:</u>	<5 mg/l
<u>Effluent TSS:</u>	<5 mg/l

*Note: August's data is based on estimates because this report was finished prior to the end of the month. I was on vacation and wanted to turn the report in prior to leaving.

Biosolids Program:

In July and August the City applied 504 cubic yards of biosolids to the Hein, Fraser and Piuser properties. In July staff completed another successful quarterly Biosolids sampling and analysis for metals and nutrients. The City of Canby continues to solicit for winter Biosolids application sites.

Pretreatment & Storm Water:

Both Jeff Crowther and I continue to work on EPA Streamlining, the City Enforcement Response Plan, Willamette TMDL requirements and the City Storm Water management plan, as time allows.

In July staff and I worked on the completion of our Bi-annual three day Ultra Clean sampling of the influent, effluent and primary effluent for metals and semi volatile and volatile organics. In August staff completed our once a year effluent Bioassay tests for toxicity. We do not expect to see anything negative from these sample results.

Pretreatment inspections for restaurants for the past two months included the grease interceptor inspection for Kentucky Fried Chicken/A&W, Safeway, and Walgreens. During the month of July we completed the Bi-annual sampling for priority pollutants and Industrial inspection of Johnson Controls Inc. Both Jeff and I also were involved in the plan review for Locust Corner sub division, the School Bus Barn project, Rite-Aid and American Steel.

Meetings and Training Attended

I attended meetings with Oregon ACWA, Curran & McLeod Engineering, the Pacific Northwest Pretreatment Conference committee and City preconstruction meetings. Jeff Crowther attended meetings with the Oregon ACWA UIC committee and various preconstruction meetings. Dave Conner has been attending Union negotiations meetings, and all staff member's participated in our monthly safety meeting and a presentation by PERS.