

# **CANBY CITY COUNCIL**

## **Regular Session**

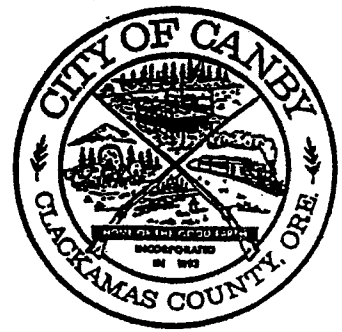
**September 3, 2003**

### **AGENDA – 7:30 PM – Council Chambers**

1. **OPENING CEREMONIES:**
  - A. Call to Order, Flag Salute
2. **CITIZEN INPUT ON NON-AGENDA ITEMS:**
3. **CONSENT AGENDA:**  
**Minutes – Regular Meeting, August 20, 2003**  
**Accounts Payable - \$240,720.21**  
**Agreement with Canby Swim Club for FY 2003-2004**Pg. 1
4. **COMMUNICATIONS:**
5. **NEW BUSINESS:**
  - A. Annual Report from Judge Jon Henriksen
6. **UNFINISHED BUSINESS:**
  - A. Findings, Conclusion & Final Order for ANN 03-04 MeredithPg. 3
  - B. Findings, Conclusion & Final Order for ANN 03-06 G. CamPg. 7
7. **RESOLUTIONS & ORDINANCES:**
  - A. Res. 844, Referring ANN 03-04 Meredith to VotersPg. 12
8. **MANAGER’S REPORT:**
9. **CITIZEN INPUT:**
10. **COUNCILORS’ ISSUES:**
11. **ACTION REVIEW:**
12. **EXECUTIVE SESSION: ORS 192.660 (1)(h) pending litigation**
13. **ADJOURN:**

*\*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Kim Scheafer at 503.266.4021 ext. 233.*

# CITY COUNCIL SIGN-IN SHEET



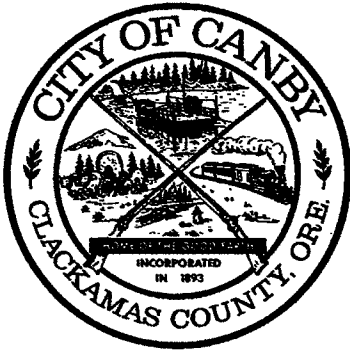
Date: 9-3-03

**PLEASE PRINT CLEARLY**

NAME

ADDRESS

*Valerie Kravberg*  
*Chauncey Segal*  
*Jean Milne*  
*Curtis & Lulu Goltman*



# ***City Council FYI Update***

To: Mayor & City Council  
Date: 27 August 2003

We have a truly light agenda for your September 3 Council meeting agenda, so this FYI Update will be a short one.

## **City Council Agenda Items for September 3, 2003**

1. **Consent Agenda:** This item consists of the regular approval of the minutes of previous meetings and standard accounts payable as well as the standard annual update to the agreement between the City and the Canby Swim Club for FY 2003-2004.
2. **Communications:** None at this time
3. **Annual Report from the Municipal Court (New Business):** Judge Henricksen has asked to be listed on the agenda in order that he may present to the Council his annual report on the activities of the Municipal Court.
4. **Findings, Conclusion & Final Order ANN 03-04 Meredith Annexation (Unfinished Business):** A public hearing was conducted on this proposed annexation at your August 20 Council meeting. The Findings, Conclusion and Final Order reflect the Council's actions subsequent to that public hearing.
5. **Findings, Conclusion & Final Order ANN 03-06 G. Cam Annexation (Unfinished Business):** Again, a public hearing was conducted on this proposed annexation at your August 20 Council meeting. The Findings, Conclusion and Final Order reflect the Council's actions subsequent to that public hearing.

## **RESOLUTIONS AND ORDINANCES**

6. **Resolution 844 Referring Annexation 03-04 to the Voters:** Attached is a staff report prepared by John Kelley as well as the ballot measure language and summary for the voter's pamphlet for the November 4, 2003 election. Adoption of this resolution sends this material to the election authority for placement on the ballot.

6. **Manager's Report:**

> Nothing at this time.

7. **Executive Session:** Nothing listed at this time.

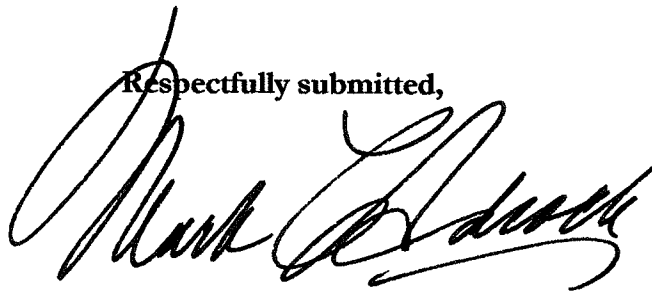
**MISCELLANEOUS ITEMS**

The following items should be of interest to you.

> A report from Margaret Yochem regarding a clarification related to the new Transit Center and information regarding our updated web page.

> Copies of applications from citizens for the vacant Planning Commission position. The two newest applications are from Randy Tessman (submitted 8-13-03) and Daniel Webb (submitted 8-22-03). The remaining applications are those submitted by individuals who were previously interviewed, but not recommended, by the Council subcommittee. The deadline for new applications, as advertised, is 5:00 P.M. on 27 August.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark C. Adcock', written in a cursive style.

Mark C. Adcock  
City Administrator

Attachments

**AMENDED ATTACHMENT "A"**  
**CITY OF CANBY INTERAGENCY AGREEMENT**  
**CANBY SWIM CLUB, INC.**

**For the budget year 2003-2004** the base cost for operating the Canby Swim Center is \$41.00 per hour. This is the cost to "open the doors." Further, a cost of service study has determined that the cost of servicing the Swim Club is \$15,285 for the year. In Section I, items A through C are options for in-kind service that can be performed to offset the cash portion of this agreement. The Swim Club must notify the City in writing by October 1, 2003 which option(s), if any, they will utilize. The balance will be due in three equal payments October 15, 2003; January 15, 2004; and May 15, 2004.

- I.    A.    Pool maintenance: Each year the pool closes for extensive maintenance. The Club could provide four people, each subject to the facility manager's approval, for one forty-hour period to assist with this maintenance. This would deduct \$1,280 from the above total.
- B.    Corporate sponsorships: Both the Swim Club and the Swim Center could benefit from cultivating sponsorship opportunities in the community, but the Swim Center staff resources have prevented us from providing the legwork necessary for the support of such a venture. The Club could work with Swim Center staff and the Library and Park Director to develop and implement a plan with resulting revenue divided in some manner agreeable to each party.
- C.    Distribution of schedules: The club could distribute swim schedules to area clinics for their waiting rooms. This would deduct \$8.00 per hour that will be calculated at each payment due date.
- II.    The current cost of the copier maintenance contract is: \$950.00. The Canby Swim Club will pay ½ of this amount, or \$475.00, as well as providing their own paper.
- III.   The current rate to purchase extra time using the facility is \$41.00 per hour.
- IV.    The current wages and benefits for lifeguards is \$10.00 per hour.
- V.    The current costs associated with the Columbia Basin Swim League meet will require compensation of \$20.00 per hour. These costs include two lifeguards.

## VI. STORAGE SPACE:

The CITY will provide free storage space for the SERVICE AGENCY, as has been done for several years. This storage will be approximately 200 square feet and will be located in a storage shed outside the Swim Center building.

The storage area will be kept neat and orderly by the SERVICE AGENCY. Nothing flammable or of an unsafe nature will be stored. No structural changes can be made to the storage facility without permission of the CITY.

Any keys that are given to the SERVICE AGENCY for access to this building will be the responsibility of the President of the SERVICE AGENCY and will not be given out to anyone other than persons who are authorized to access the storage facility. The Swim Center staff will be provided with a list of authorized persons.

Should the CITY require the storage area for CITY purposes, the SERVICE AGENCY will be notified at least 90 days in advance of the change. The CITY will endeavor to work with the SERVICE AGENCY to find alternative storage space.

## VII. SHARED EQUIPMENT:

The CITY and SERVICE AGENCY share equipment whenever it makes sense to do so. Shared equipment is purchased and maintained on a 50-50 basis. The parties will meet annually during **September** to discuss the shared equipment and plan for maintenance and replacement so that both parties can budget the needed funds. A list of shared equipment will be maintained by both the CITY and the SERVICE AGENCY and updated annually.

SERVICE AGENCY:

\_\_\_\_\_, name

\_\_\_\_\_, title

DATE: \_\_\_\_\_

CITY OF CANBY:

\_\_\_\_\_, Mayor

\_\_\_\_\_, City  
Administrator

DATE: \_\_\_\_\_

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF CANBY**

**A REQUEST TO ANNEX 1.65  
ACRES OF LAND INTO THE  
CITY OF CANBY**

) **FINDINGS, CONCLUSIONS & ORDER**  
) **ANN 03-04**  
) (John Meredith)

**NATURE OF APPLICATION**

The applicant is seeking to annex one 1.65 acre tax lot into the City of Canby (Lot 1800 of Tax Map 3-1E-28DD). If annexed, the applicant intends to build approximately 9 single family homes in addition to one existing single family home. The site is located south of NE Territorial and is part of an island of County land surrounded by property within the City boundary. The property is designated priority A for annexation.

**HEARINGS**

The Planning Commission held a public hearing and considered this application at its meeting of July 14, 2003. The City Council held a public hearing and considered the same application at its meeting of August 20, 2003.

**CRITERIA AND STANDARDS**

The Planning Commission forms a recommendation that the City Council may consider after conducting a public hearing. If the City Council approves the application, it forwards its recommendation to the voters of Canby as a ballot measure where a final decision is reached during a general election. If the City Council denies the application, that denial becomes the final decision and the application is not placed before the voters.

Section 16.84.040 of the Canby Municipal Code states that when reviewing a proposed annexation, the City Council shall give ample consideration to the following:

1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan).
2. Analysis of the "need" for additional property within the city limits shall be provided.
3. Smaller non-farm land shall be considered a priority for annexation over larger

- farm land;
4. Access shall be adequate to the site;
  5. Adequate public facilities and services shall be available to service the potential (or proposed) development;
  6. Compliance with other applicable city ordinances or policies;
  7. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.);
  8. Risk of natural hazards which might be expected to occur on the subject property shall be identified;
  9. Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas;
  10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole.

## **FINDINGS AND REASONS**

The City Council deliberated on all input presented at the August 20, 2003 meeting. The City Council incorporates the August 9, 2003 Staff Report and Council deliberations as support for its decision. The City Council accepted and adopted the findings in the August 9, 2003 Staff Report.

## **CONCLUSION**

The City Council of the City of Canby concludes that, based on the findings and conclusions contained in the August 9, 2003 staff report, and based on Council deliberations at the August 20, 2003 public hearing:

1. The land is designated as Priority "A" for annexation.
2. The buildable land supply is estimated between 2 and 3 years within the City.
3. The property is currently part of an island of unincorporated land surrounded by land inside the City limits.
4. Access to the site is adequate and will be further improved by improvements to the roadway in conjunction with development.
5. The City and other service-providing entities are able to amply provide the area of the proposed annexation with urban level services upon future development.
6. The annexation proposal is in compliance with other applicable City ordinances or policies.
7. The annexation proposal complies with all applicable sections of Oregon Revised Statutes.
8. No natural hazards have been identified on the site.
9. The effect of urbanization of the subject property to designated open space, scenic, historic or natural resource areas is limited.
10. Adverse economic impacts are not likely to result from annexation of the subject parcel.



## **ORDER**

**THE CITY COUNCIL OF THE CITY OF CANBY APPROVES** application **ANN 03-04** and sends the application to the Canby voters for a final decision with the following understandings:

1. Zoning classification for the property will be R-1.5, Medium Density Residential.
2. All service connections, recording costs and future development costs are to be borne by the property owner.
3. Advanced financing charges for the properties are to be paid at the time of connection to City Services.
4. All City and service provider regulations are to be adhered to at the time of connection of services and/or future development.
5. Sidewalks and utility easements are normally conditioned as a part of new development. Sidewalks and utility easements will be required upon any future land use application, including issuance of building permits or application for subdivision and development.
6. Any costs associated with the election that are not covered by the initial deposit shall be the responsibility of the applicant/property owner. Costs shall be payable upon receipt of an itemized billing from the City of Canby.
7. The Canby Utility Board may choose to use an existing well on the property to service eventual development. The applicant shall consult with the Canby Utility Board, regarding use of the existing well, prior to application for subdivision and development.

**I CERTIFY THAT THIS ORDER** approving **ANN 03-04** was presented to and **APPROVED** by the City Council of the City of Canby.

DATED this 3<sup>rd</sup> day of September, 2003.

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Melody Thompson  
City of Canby

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John R. Williams  
Director of Planning & Community Development

**ATTEST:**

**ORAL DECISION - August 20, 2003**

AYES: Daniels, Newton, Oliver, Carson, Blackwell

NOES: None

ABSTAIN: None

ABSENT: Johnson

**WRITTEN FINDINGS - September 3, 2003**

AYES:

NOES:

ABSTAIN:

ABSENT:

**BEFORE THE CITY COUNCIL  
OF THE  
CITY OF CANBY**

<b>A REQUEST TO ANNEX 4.63</b>	)	<b>FINDINGS, CONCLUSIONS &amp; FINAL ORDER</b>
<b>ACRES OF LAND INTO THE</b>	)	<b>ANN 03-06</b>
<b>CITY OF CANBY</b>	)	<b>(Cam/Dodds)</b>

**NATURE OF APPLICATION**

The applicant is seeking to annex one 4.63 acre tax lot into the City of Canby (Lot 400 of Tax Map 3-1E-28C). If annexed, the applicant intends to build approximately 20 single family homes served by a single street off of N Locust Street. The site is located north of NE Territorial Road along the west side of N Locust. The property is designated priority A for annexation.

**HEARINGS**

The Planning Commission of the City of Canby held a public hearing and considered this application at its meeting of July 28, 2003. The City Council also held a public hearing and considered this application at its meeting of August 20, 2003.

**CRITERIA AND STANDARDS**

The Planning Commission forms a recommendation that the City Council may consider after conducting a public hearing. If the City Council approves the application, it forwards its recommendation to the voters of Canby as a ballot measure where a final decision is reached during a general election.

Section 16.84.040 of the Canby Municipal Code states that when reviewing a proposed annexation, the Commission shall give ample consideration to the following:

1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan).
2. Analysis of the "need" for additional property within the city limits shall be provided.
3. Smaller non-farm land shall be considered a priority for annexation over larger farm land;
4. Access shall be adequate to the site;
5. Adequate public facilities and services shall be available to service the potential (or proposed) development;
6. Compliance with other applicable city ordinances or policies;

7. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.);
8. Risk of natural hazards which might be expected to occur on the subject property shall be identified;
9. Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas;
10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole.

## **FINDINGS AND REASONS**

The City Council deliberated on all input presented at the August 20, 2003 meeting. The City Council incorporates the August 8, 2003 Staff Report and Council deliberations as support for its decision. The City Council accepted and adopted the findings in the August 8, 2003 Staff Report in so far as they do not conflict with the following supplemental findings:

1.

The City Council found that when considering the approved annexations pending before voters, as well as the approved UGB amendment to add 30 acres of residential land (currently pending before the State Land Use Board of Appeals) that the 3-year supply of buildable land that is considered sufficient could be met or exceeded. Therefore, the need for this property to be annexed is not established.

2.

The City Council found that the impacts of annexation and development of this property are greater than the size of the parcel would suggest. Because the parcel is part of larger, contiguous agricultural land and because the parcel is surrounded on three sides by agricultural land outside the city limits and property on the fourth side inside city limits but still under agricultural production, potential development is anticipated to negatively impact surrounding agricultural use more than other land in the UGB which is directly adjacent to developed property. Therefore, despite the relatively small size of the parcel, it should not be considered a priority for annexation.

3.

The Planning Commission found that, although the applicant has volunteered to perform off-site improvements to Locust street, there was not sufficient specificity as to the type of improvements were being offered as to ensure adequate access for this or other neighboring properties. Based on supplemental submittal by the applicant, the City Council finds that the applicant has addressed the issue of insufficient access. The applicant's proposal to pave additional width of N Locust Street to City street standards is sufficient to provide access to the site.

## **CONCLUSION**

The City Council of the City of Canby concludes that, based on the findings and conclusions contained in the August 8, 2003 staff report, and based on Council deliberations at the August 20, 2003 public hearing:

1. The land is designated as Priority "A" for annexation.
2. The current buildable land supply is estimated at less than 2 years within the City. The foreseeable buildable lands supply from additional proposed annexations is uncertain but may in fact exceed the three year supply considered adequate for the City of Canby should those annexations be approved by the voters.
3. Although the property is smaller, it is still part of a larger tract of farm land and almost completely surrounded by other productive farm land.
4. Access to the site is not adequate but the level of off-site improvements proposed by the applicant are considered sufficient to provide adequate access to the development. The City Council concludes that there is sufficient evidence to assure that adequate access for this parcel and future neighboring development will be constructed through the execution of development agreement.
5. With the exception of transportation access, the City and other service-providing entities are able to amply provide the proposed annexation with urban level services upon future development.
6. The annexation proposal is in compliance with other applicable City ordinances or policies.
7. The annexation proposal complies with all applicable sections of Oregon Revised Statute.
8. No natural hazards have been identified on the site.
9. The effect of urbanization of the subject property to designated open space, scenic, historic or natural resource areas is limited, in that the open space designation and requirements as found in the Parks Master Plan will be adhered to.
10. Adverse economic impacts are not likely to result from annexation of the subject parcel.

## **ORDER**

**IT IS ORDERED BY THE CITY COUNCIL** that application ANN 03-06 is **DENIED**.

**I CERTIFY THAT THIS ORDER DENYING ANN 03-06** was presented to and **APPROVED** by the City Council of the City of Canby.

DATED this 3<sup>rd</sup> day of September, 2003.

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Melody Thompson  
Honorable Mayor, City of Canby

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John R. Williams  
Director of Planning and Community Development

**ATTEST:**

**ORAL DECISION - August 20, 2003**

AYES: Daniels, Newton, Carson, Blackwell

NAYS: Oliver

ABSTAIN: None

ABSENT: Johnson

**WRITTEN FINDINGS - September 3, 2003**

AYES:

NAYS:

ABSTAIN:

ABSENT:

August 26, 2003

Memo to: Mayor/City Council

From: John H. Kelley, City Attorney 

Re: Resolution No. 844 - Ballot measure/Summary for Voter's Pamphlet for  
Annexation 03-04 - Meredith Annexation

Attached is Resolution No. 844. It certifies to Clackamas County elections department for the November 4, 2003 election, Annexation 03-04, application from John Meredith to annex 1.65 acres of property into the City. The Planning Commission unanimously approved the application, as did the City Council, and in accordance with the City Charter requirement for voter-approved annexations, the application must be voted on at the next election.

Attached to the Resolution is a Notice of City Measure Election with the Caption, Question and Summary for the ballot and the Explanatory Statement for the Voter's Pamphlet. The City is required to submit these documents when it refers an issue to a vote of the electorate. The deadline for having the material to the County is September 4, 2003.

The guideline for drafting the Notice and Explanatory Statement is that, "the City Attorney, to the best of his ability, give a true and impartial statement of the purpose of the measure in such language that the ballot title not create any argument for, or create prejudice against the measure". I believe the Notice and Statement I have prepared meets this criteria. If you agree, a motion to approve Resolution No. 844 is appropriate. If you are not satisfied with the language, please feel free to contact me before the meeting or draft some alternative language to bring to the meeting so that it can be discussed.

## RESOLUTION NO. 844

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 1.65 ACRES DESCRIBED AS TAX LOT 1800 OF TAX MAP 3-1E-28DD LOCATED IN THE NORTHEAST QUADRANT OF THE CITY, ON THE SOUTH SIDE OF NE TERRITORIAL ROAD AND EAST SIDE OF N OAK STREET; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE NOVEMBER 4, 2003 ELECTION.**

**WHEREAS**, the Canby City Council has heretofore approved an application filed by John Meredith, owner and applicant, to annex Tax Lot 1800 of Tax Map 3-1E-28DD which consists of 1.65 acres into the City of Canby; and

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

**WHEREAS**, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by September 4, 2003 in order to appear on the ballot for the November 4, 2003 election; and

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

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

1. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the November 4, 2003 election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by the City.
2. The City Recorder of the City of Canby is further authorized and directed to submit a Summary of the Measure to be placed in the voter's pamphlet explaining in clear and concise language the affect of such ballot measure. Such summary is attached to this Resolution in proper form and adopted by the City.



3. The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the November 4, 2003 election.

This Resolution shall take effect on September 3, 2003.

ADOPTED this 3<sup>rd</sup> day of September, 2003, by the Canby City Council.

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Melody Thompson - Mayor

ATTEST:

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Chaunee Seifried  
City Recorder, Pro-Tem

## NOTICE OF CITY MEASURE ELECTION

### CITY OF CANBY

Notice is hereby given that on Tuesday, November 4, 2003, an election will be held in the City of Canby, Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the City's voters on this date:

**CAPTION: MEASURE APPROVING ANNEXATION OF 1.65 ACRES INTO CITY OF CANBY**

**QUESTION:** SHALL 1.65 ACRES LOCATED SOUTH OF NE TERRITORIAL ROAD AND EAST OF N OAK STREET BE ANNEXED INTO CANBY?

**SUMMARY:** Annexation is the legal process to bring property inside the City limits. John Meredith has filed an application as owner, asking the City to bring 1.65 acres of property into the City limits. The legal description of the property is Tax Lot 1800 of Tax Map 3-1E-28DD. The lot is located on the south side of NE Territorial Road and the east side of N. Oak Street. This application was previously approved by the Planning Commission and the City Council. The property contains one single family residence. Properties to the west and north, across Ne Territorial Road from the site, are inside the City limits. Properties to the south and east are outside the City limits, but within the urban growth boundary. The property is designated priority "A" for annexation. Upon annexation, the property will be zoned R-1.5, Medium Density Residential. Although no development application is pending at this time, the applicant has indicated he wishes to construct 9 additional single family residences on the site. Any further development does require City review and must comply with land use laws.

The following authorized local government official hereby certifies that the above ballot title is true and complete.

\_\_\_\_\_  
Chaunee Seifried,  
Canby City Recorder - Pro-Tem

\_\_\_\_\_  
Date

EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

**MEASURE APPROVING ANNEXATION OF .92 ACRES  
INTO THE CITY OF CANBY**

Measure No. \_\_\_\_\_

Word Total 326 (500 max)

This measure would approve the annexation of 1.65 acres into the city limits of the City of Canby. The property which would be included within the City boundaries is known as Tax Lot 1800 of Tax Map 3-1E-28DD and is located generally in the northeastern part of the City. Tax Lot 1800 is currently zoned RRFF-5 (Rural Residential Farm and Forest, 5 acre minimum) under County zoning. If annexation into the City is approved by the voters, tax lot 1800 would be rezoned to R-1.5, Medium Density Residential, as required under the City's Comprehensive Land Use Plan (Comp Plan).

Tax Lot 1800 is owned by John Meredith. He has filed the application for annexation as allowed by Oregon law. The City, following its Charter, has put this matter before the voters for approval.

The property is located on the south side of NE Territorial Road and east side of N Oak Street. The 1.65 acres contains one existing single family residence on the site. It is bordered on the north and west by residential development within the City. Properties to the south and east are outside of City limits, but within the City's urban growth boundary. Under current zoning regulations, the applicant proposes to build 9 additional single family residences on the site. However, annexation alone does not set the future uses to be built on the property. Any further development would have to comply with state and local land use laws and would be subject to public review.

The Canby Comp Plan also designates properties for annexation as Priority "A", "B" or "C". Priority "A" properties shall generally be annexed prior to those areas shown as Priority "B" which, in turn, shall generally be annexed prior to those areas shown as Priority "C". The property is priority "A". The Canby Planning Commission and Canby City Council voted unanimously to approve the application and refer it to a vote of the Canby electorate.

**CITY OF CANBY**

\_\_\_\_\_  
Chaunee Seifried,  
Canby City Recorder - Pro tem

\_\_\_\_\_  
Date



**MEMORANDUM**

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To: CC  
FBI  
MAA  
JB

**DATE: AUGUST 26, 2003**  
**TO: MARK ADCOCK**  
**FROM: MARGARET YOCHER**  
**RE: TRANSIT CENTER**

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I was very happy with the article that the Herald ran regarding the new transit center, however in the third paragraph it states "We hope to break ground" and I want to make sure the Mayor and Council are not thinking this is going to be an official ground breaking ceremony.

My plan is to have a ribbon cutting ceremony when phase I is done and we put the center into use. At that time I would like to officially celebrate our one year of service by inviting Mayor Thompson & Council as well as our Congressional Representatives.

Another project I have been working on is the city's web site and I just wanted to give you a heads up that the "city's new look" should be going live on line September 15<sup>th</sup>. I'll keep you posted if that date doesn't hold.

Thanks.

To: City Council  
FYI

Mrs

8/22/03

RECEIVED

AUG 26 2003

CITY OF CANBY

Dear CAT Staff:

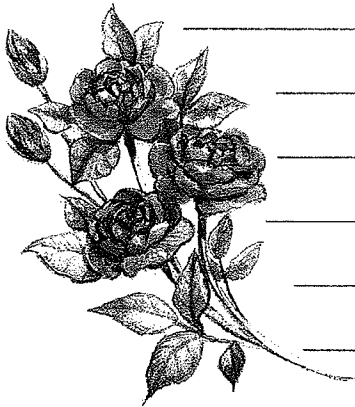
I want to let you know how much  
I appreciate your services, especially  
the Lift bus.

Leland is a wonderful, con-  
siderate driver.

Your service is a blessing to the  
handicapped and the elderly, of  
which I qualify!

Thank you again

Sincerely,



Doris M. Linde  
Vintage Suites  
Canby, O.R.

# City of Canby

## Application

Boards/Committees/Commissions/Council

Date: August 13, 2003

Name: Randy E Tessman Occupation: Architectural Rep

Home Address: 624 South Oak Place Canby, OR 97013  
Address City Zip

Employer: Benjamin Moore & Co. Position: \_\_\_\_\_

Daytime Phone: 503-263-2325 Evening Phone: 503-263-2325

Email address rtessman@canby.com

For which position are you applying? Planning Commission

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

Residential Design study, Parks Advisory Board,  
Canby Kids Soccer, Canby Historical Society

Experience and educational background: Bachelor of Arts, Portland  
State University, Construction Documents Technologist  
(CDT), CSI, ASD Member, IIDA Member

Reason for your interest in this position: Having participated in the  
Planning Commission, I can be an objective and  
interested member in my community.

List any other City or County positions on which you serve or have served: City of  
Canby Planning Commission, URD Advisory Board,

Information on any special membership requirements: \_\_\_\_\_

Referred by (if applicable): \_\_\_\_\_

*Feel free to attach a copy of your resume and use additional sheets as necessary*

THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY

Please return to :

City of Canby  
182 N Holly Street  
PO Box 930  
Canby, OR 97013

**RECEIVED**

**AUG 13 2003**

**CITY OF CANBY**

RECEIVED

**City of Canby  
Application**

AUG 22 2003

CITY OF CANBY

Boards/Committees/Commissions/Council

Date: 08/20/03

Name: Daniel Webb

Occupation: Real Estate Broker

Home Address: 1984 N. Redwood St

Canby

Address

City

Zip

Employer: Associated Properties Inc.

Position: Principle Broker

Daytime Phone: 503-510-9998

Evening Phone: 503-266-9998

Email Address: Danielwebb11@attbi.com

For which position are you applying: Planning Commission

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

Experience and educational background: Short term member of the Planning Commission in Aurora, Or. Resigned do to relocating to Canby  
Real Estate Broker and Development background and familiar with City Ordinances and procedures as they pertain to annexations, zoning, highest and best use of land and general land use issues

Reason for you interest in this position: I enjoy working with other people who Care about how their City improves along with its growth and expansion. All Cities must continue to broaden their outlook and find new ways to best utilize their resources, the most important being their land and neighborhoods. I think the place where I can give the most would be at the Planning Commission level.

List any other City or County positions on which you serve or have served:

Planning Commission, City of Aurora

Information on any special membership requirements:

Referred by (if applicable):

*Feel free to attach a copy of your resume and use additional sheets as necessary*

THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY

RECEIVED

MAR 07 2003

CITY OF CANBY

## City of Canby

## Application

## Boards/Committees/Commissions/Council

Date: March 7, 2003Name: Wayne L. JobOccupation: Systems AdministratorHome Address: 2483 E. Territorial Rd  
AddressCanby  
City97013  
ZipEmployer: Mento WorldwidePosition: Systems AdministratorDaytime Phone: 503-450-5874Evening Phone: 503-266-6548For which position are you applying? Planning CommissionWhat are your Community interests (committees, organizations, special activities)? Have not been involved in any particular way within the community other than supporting local merchants.Experience and educational background: Many years of home remodeling & Landscaping as a home owner. (working with the county for permits & code). Education: BS Diesel Technology & BusinessReason for your interest in this position: Would like to give back to the community by sharing my experience & common sense as we grow into the future

List any other City or County positions on which you serve or have served: \_\_\_\_\_

Information on any special membership requirements: \_\_\_\_\_

Referred by (if applicable): Dan Ewert*Feel free to attach a copy of your resume and use additional sheets as necessary*

THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY

*We appreciate your interest*

Please return to :

City of Canby  
182 N Holly Street  
PO Box 930  
Canby, OR 97013



**CITY OF CANBY**  
**APPLICATION**  
**BOARDS/COMMITTEES/COMMISSION**

**RECEIVED**

**DEC 23 2002**

**CITY OF CANBY**

**Date:** December 19, 2002

**Name:** Tony Helbling      **Occupation:** Electrical Utility Construction Management

**Home Address:** 227 SE 10<sup>th</sup>, Canby, Oregon 97013

**Employer:** Wilson Construction Company      **Position:** Logistics Manager

**Daytime Phone:** 503-263-6882      **Evening Phone:** 503-263-3569

**For Which Board/Committee/Commission are you applying:** Planning Commission

**What are your community interests (committees, organizations, special activities)?** Chamber of Commerce Member, Knights of Columbus, Canby Youth Soccer Association, Canby Herald Chili Cookoff, Canby Industrial Parks Association (Informal).

**Experience and educational background:** BS Economics, University of Oregon (Focused areas of study in Labor Relations and Urban Planning). Officer, US Army 1985 – 1999, specializing in staff planning and management. Marketing Director, Flightcraft, Inc., 1992-1998. Staff Planner, Wilson Construction Company 1998-Present. (See attachments)

**Reasons for your interest in the Board/Committee/Commission:** It is a citizen's duty to participate in government on some level ranging from voting to serving in public office. As a citizen of Canby and a businessman, I am particularly interested in seeing the methodical, efficient and managed growth of the City. (See attachments)

**List any other City or County Board/Committee/Commission on which you serve or have served:** Clackamas County Economic Development Commission – Member 1998 to 2001. Clackamas County Complete Communities Economic and Workforce Development Task Force – Chair 2001-2002.

**Information on any special membership requirements:** None.

**Referred by (if applicable):** Bev Doolittle, Jamie Johnk

Thank you for your consideration.

Sincerely,

  
Tony Helbling  
Citizen of the Great City of Canby

# Executive Summary

Canby Planning Commission Views  
Tony Helbling

**Balanced and Scheduled Growth is necessary to produce a community climate consistent with the Pacific Northwest surroundings.**

**Balanced growth must consider the environment, community and business climate.**

- ❑ **Environment:** Planned growth must fit into the surroundings, to include how a community looks, smells, impacts and contributes. Identifying planning strategies and making decisions that "fit" our City are key to maintaining the value we all currently enjoy.
- ❑ **Community:** Growth should fit our community, to include form and function, transportation flow, jobs creation, educational base capitalization, mix and balance of social and economic considerations. Growth must consider open, green and recreational space planning.
- ❑ **Business:** Development should focus on complimentary diversification. We should be planning for a base that is recession resistant, made up of an inter-supporting business network. Additionally, these businesses should bring in dollars from the outside. This network should have developmentally progressive job opportunities for Canby citizens. We should focus on planning for business and industries that will enhance our community, not take from the community.

**Scheduling growth is a critical, specific and ongoing function.**

- ❑ **Near Term Planning:** Continuously re-identify the current base and plan development around it to capitalize and multiply or formulate plans to change the focus to plans that better fit long term goals.
- ❑ **Short Term Planning:** Establish a community environment through careful planning resulting in the attainment of balanced goals while bringing business into the community. Re-evaluate the local, regional, national and world markets and their affects on City planning.
- ❑ **Long Term Planning:** Plan, Expand and Maintain the infrastructure that facilitates the City's success through life cycle changes. Analyze the local, regional, national and world markets and their affects on City planning. Formulate logical, economically sound, and well planned directions for the future.

**Balanced and Scheduled Growth are necessary to produce a community climate consistent with the Pacific Northwest surroundings. Planning for growth allows for the balance of environmental, community and business success. This is a difficult challenge requiring patience, vision and long term dedication. If done correctly, we will have a City, the Great City of Canby, in which our children will want to live for a long, long time.**

# TONY HELBLING

## QUALIFICATIONS

More than 16 years of leadership productivity, continuously demonstrating the following characteristics, skills and abilities:

***Doing The Right Thing - Aggressive Productivity - Communications  
Customer Service - Decisiveness - Planning - Training***

## ACHIEVEMENTS

***"Doing The Right Thing"*** is an expression of leadership values which govern my life. From trials becoming an Eagle Scout through leading life saving rescue missions and on into transforming a sales force into a customer oriented profitable team, I've always done the right thing.

***Aggressive Productivity:*** Constantly and aggressively seek out challenges, develop strategy, assume responsibility, take action and overcome adversity to successfully surpass task requirements.

***Communications:*** Initiated, organized, produced and conducted numerous multimedia marketing and sales presentations to groups ranging from single customers to large organizations.

***Customer Service*** has been my forte' for the past 14 years. My goal is to ensure my customers are in a constant state of amazement with the support excellence provided by my team.

***Decisiveness*** has become my acquired ability to think innovatively and perform while under pressure, constantly utilizing all available information and resources in search of greater efficiency and success.

***Planned,*** developed, implemented and followed up on comprehensive marketing and advertising program that increased margins and customer satisfaction while reducing expenses.

***Training:*** Developed, conducted and evaluated successful major training events for participants of widely varied backgrounds.

**Experience**

**Wilson Construction:** Largest privately held Electrical Utility Contractor in the Northwest. Serving public and private utilities with maintenance, construction and engineering services since 1952.

**Information Manager:** Review company systems for validity and efficiency. Coordinate the production of major bids with the input from production, engineering, safety, contracts and logistics personnel. Research, recommend and implement business development opportunities for the company.

**Flightcraft:** Largest corporate aviation company on the West Coast, providing sales and service support to aircraft ranging from \$100,000 to \$30,000,000.

**Marketing Director:** Responsible for Marketing and Advertising Budget of over \$340,000, including trade shows, direct mail, media placement, new product launch, special events, market research and customer appreciation programs, all resulting in a direct increases in corporate sales. Proficient in WordPerfect, MS Word, Excel and PowerPoint. Spearheaded the company's presence on the Internet. January 1995 to December 1997.

**Product Support Manager:** Led teams of technicians and sales representatives in surpassing budgetary goals while also exceeding customer expectations. Raised Parts Sales profit margins from 11% to over 18% while lowering operating costs and increasing customer service approval ratings. June 1992 to December 1994.

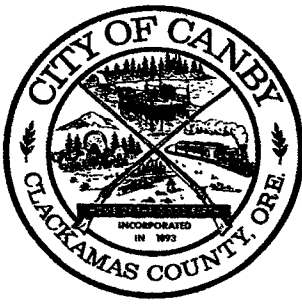
**United States Army:** Medical Service Corps, leading medical administrative support to soldiers, family members and retirees, both in the active duty and reserve component.

**Leader:** Responsible as a staff officer and commander for the lives, training, planning and operations of over 135 medical and aviation personnel, providing ground and aeromedical patient evacuation, treatment, administration and logistical support. Budgetary responsibility for operational budgets of over \$2.5 million and property accountability for over \$135 million. 1985 to 1999.

**Education**

Bachelor of Science, Economics, University of Oregon - 1985

**Interests:** Sailing, Flying, Music and Computers



# *Memorandum*

*Office of the City Administrator*

**TO:** Mayor & City Council  
**DATE:** 27 August 2003  
**SUBJ:** Applications for Canby Utility Board Vacancies

As you are aware, the deadline for City staff accepting applications for the opening on the Utility Board is today at 5:00 P.M. To date we have received two applications for the current openings created by the departure of Bob Wescott and the resignation back in January of Bruce Marshall.

Attached are applications from Scott Taylor and Andrew Kahut.

Respectfully submitted,

Mark C. Adcock

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FEB 20 2003

Rec'd 2-20-03  
5:30 PM

CITY OF CANBY

City of Canby

Application

Boards/Committees/Commissions/Council

Date: 2/20/03

Name: Scott Taylor

Occupation: Administrator

Home Address: 2307 W Maple  
Address

Canby  
City

97013  
Zip

Employer: Oregon Dept of Corrections

Position: Assistant Director

Daytime Phone: 503-945-8876

Evening Phone: 503-266-5484

For which position are you applying? CUR

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

City of Canby AS a quality of Life.

Experience and educational background:

Masters Public Admin

Mayor 8 yrs

Councilor 10 yrs.

Reason for your interest in this position:

List any other City or County positions on which you serve or have served:

Mayor

City Council, URD

Information on any special membership requirements:

Referred by (if applicable):

*Feel free to attach a copy of your resume and use additional sheets as necessary*

THANK YOU FOR YOUR WILLINGNESS TO SERVE CANBY

*We appreciate your interest*

Please return to :

City of Canby  
182 N Holly Street  
PO Box 930  
Canby, OR 97013

**City of Canby**  
**Application**  
 Boards/Committees/Commissions/Council

Date: **August 21, 2003**

Name: **Andrew Kahut**

Occupation: **General Manager**

Home Address: **358 SE 10<sup>th</sup> Ave.**

**Canby**

**97013**

Address

City

Zip

Employer:

**K.B. Recycling, Inc.  
 West Linn Refuse &  
 Recycling, Inc.  
 B & J Garbage Co.**

Position: **General Manager**

Daytime Phone: **971-563-1438**

Evening Phone: **503-266-2918**

Email Address: **kahutasj@aol.com**

For which position are you applying: **Canby Utility Board**

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

**My wife and I have two children (both boys) ages 6 years, and 7 months of age. This fall, our oldest child is beginning his educational career in the Canby School District. My wife Sandra is a fourth-grade teacher at Ninety-One School where she has taught since 1994. Being raised in Canby and now living here, I have had the opportunity to participate in local athletics, local schools, and community events as both participant and parent. I now want to serve the community that has served me so well.**

Experience and educational background:

**1993- present – General Manager of several companies for one of the most progressive and fastest growing solid waste companies in the State of Oregon (see above).**

**1993 - B.S., Business Administration, Western Oregon State College, Monmouth, Oregon.**

**1988 – Graduate, Canby Union High School**

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**AUG 27 2003**

**CITY OF CANBY**

Reason for your interest in this position:

In our everyday lives, Americans are more reliant on electronic products than ever in our history. Additionally, the demand for water makes headlines for at least six months out of every year. Water demand, water rights and water protection will be some of the most critical issues facing municipalities in the next century. We in Canby have the opportunity, through our municipal utility provider, to ensure that all aspects of utility services (operations, customer service, environmental stewardship) are reliable, economical, environmentally responsible, and state-of-the-art. I wish to serve Canby Utility's customers by bringing my skills and experience in business to the board.

List any other City or County positions on which you serve or have served: \_\_\_\_\_

**None**

Information on any special membership requirements: NA

Referred by (if applicable): NA



**ANDREW KAHUT**  
**358 SE 10<sup>th</sup> Ave**  
**Canby, OR 97013**  
**(503) 266-2918-evenings**  
**(971) 563-1438-days**  
**Kahutasj@aol.com**

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## **PROFESSIONAL EXPERIENCE**

1993 – Present. General Manager, K.B. Recycling, Inc. (KB). Overall management of KB including: supply relationships with national and independent solid waste companies, supervision of all plant operations and employee production. Researches new processing methods for the development of new and innovative techniques to enable the company to operate more efficiently and at the same time produce a high quality and quantity of marketable materials. In 2002, KB installed a state-of-the-art, high volume, automated sorting system utilizing disc screen technology for commingled recyclables at KB's new Clackamas, Oregon facility. In 1997, the Association of Oregon Recyclers voted KB "Recycler of the Year".

2000 – Present. General Manager, West Linn Refuse & Recycling, Inc. (WLRR). Overall management of WLRR including: operations, customer service, regulatory requirements and administrative reporting. Upon becoming the successful respondent to West Linn's request for proposals to provide solid waste and recycling services to the City, supervised the implementation and transition of over 6500 customers into an automated, cart-based collection system. A December 2001 study of Community Satisfaction by Western Advocates Incorporated indicated that WLRR was the highest rated utility in West Linn.

2002 – Present. General Manager, B & J Garbage Company (BJ). Following the purchase of BJ by KB, transitioned BJ into KB's Clackamas operation in the fall of 2002. Supervised the conversion of outdated equipment into state-of-the-art commercial and residential automated, cart-based collection systems. Also, successfully supervised the transition into a computerized billing and routing system. BJ services unincorporated areas of Clackamas County including: Damascus, Boring, Happy Valley, Pleasant Valley and South Gresham.

## **PROFESSIONAL ASSOCIATIONS**

2000 – present. Metro Solid Waste Advisory Committee (SWAC) Alternate

2000 – present. Oregon Refuse & Recycling Association Emmons Scholarship Golf Committee

1998 – present. Clackamas County Refuse and Recycling Association Recycling Committee

**Member:** Oregon Refuse & Recycling Association  
Association of Oregon Recyclers  
Clackamas County Refuse and Recycling Association  
West Linn Chamber of Commerce  
North Clackamas Chamber of Commerce

## **CIVIC ASSOCIATIONS**

2003 – present. Vocational Service Chair, North Clackamas Sunrise Rotary

2002 – present. Charter Member, North Clackamas Sunrise Rotary

## **EDUCATION**

B.S., Business Administration, 1993, Western Oregon State College, Monmouth, Oregon  
Graduate, 1988, Canby Union High School

## **OTHER INTERESTS**

Member Arrowhead Golf Club

Member Ducks Unlimited

ACTIVITY REPORT FOR CANBY MUNICIPAL COURT  
JULY 1, 2002 THRU JUNE 30, 2003

CASES OPENED

Major	312
Minor	5359
Other	903

TOTAL 6574

CASES CLOSED

Major	219
Minor	5680
Other	816

TOTAL 6715

REVENUE

Fines Collected	279,530.21
Court Costs	3,589.50
Court Appt. Atty	10,154.50
Helmets & Carseats	6,948.00
Past Due Collections	19,911.00

SUB TOTAL 320,133.21

BUDGETED

241,000.00
12,000.00
6,000.00
3,000.00
15,000.00

277,000.00

TRAFFIC SAFETY 107,683.54

108,000.00

ASSESSMENTS collected for:

Or Dept of Revenue	65,680.96
Clackamas Co.	17,750.81
Emanuel Hospital	7,600.00

TOTAL DISBURSED 511,248.52

EXPENSE

SALARY plus benefits

Office Specialist III	38,824.50
Office Specialist II	46,990.87
Municipal Judge	37,380.00
Fringe Benefits	35,110.59
Police Court OT	11,136.75

SUBTOTAL 169,442.71

MATERIAL/SERVICE

Supplies	6,335.13
Training	742.68
Interpreter	2,890.00
Jury Fees	0.00
Crt Appt. Atty	30,000.00
Discretionary Fees	1,621.17
Pro tem Judge	0.00
Technical Support	1,980.00
Traffic Safety	31,421.56
Software Support	911.00
Helmets & Carseats	3,033.69

SUBTOTAL 78,935.23

TOTAL EXPENSES 248,377.94

TRANSFER TO TECH SERVICES	7,500.00
TRANSFER TOTAL	7,500.00
DEPARTMENT EXPENSE TOTAL	255,877.94
REVENUE	427,816.75