

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
June 21, 2017**

PRESIDING: Mayor Brian Hodson.

COUNCIL PRESENT: Tyler Smith, Greg Parker, Tim Dale, Tracie Heidt, and Sarah Spoon. Councilor Traci Hensley was absent.

STAFF PRESENT: Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; Julie Blums, Finance Director; and Kim Scheafer, City Recorder.

OTHERS PRESENT: Bob Cornelius, Curt McLeod, Shawn Varwig, Kai Kiefel, Julie Johnson, Chris Waffle, Paul Haurer, Jim Hunsaker, Robert Cambra, Jason Padden, Ron Uhl, David Ames and McKenzie Ames.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:30 p.m. in the Council Chambers followed by opening ceremonies.

Fill-the-Boot Day Proclamation – Mayor Hodson read a proclamation proclaiming July 29, 2017, as Canby Fire District #62 “Fill-the-Boot” Day.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Shawn Varwig, Canby resident, said that two nights a week he moonlighted as an Uber driver. The Council had a previous discussion regarding requiring Uber drivers to get business licenses. It blindsided the Uber drivers and they wanted to see clarification in the Municipal Code. He thought they met the exemptions of not working more than three consecutive days in one place and not more than 30 days in a calendar year. He had been an Uber driver for three months and picked up one person in Canby and made \$3.28. If they were considered an independent contractor and needed a business license, there were many other independent contractors besides Uber drivers that needed one also.

David Ames, Canby resident, didn't think being an Uber driver was a home business and should not be required to have a business license. Everything was done over phone or email and he used his personal car. He had been doing it for eight months and had made around \$200. These were important pick-ups for the safety and benefit of citizens. It was a good thing to have in Canby.

Julie Johnson, Canby resident, had been an Uber driver for a year and a half. She had picked up almost 800 people. She was willing to pay the \$50 per year for the business license, but it would impact the other Uber drivers who would not want to come to Canby.

Ron Uhl, Canby resident, had been with Uber for 19 months and had done around 3,000 rides. He wanted to know if Lyft drivers were also being charged for a business license. This filled a niche and a need in the community.

Kai Kiefel, Canby resident, had been driving for Uber and Lyft for 9 months full time. She started work at 4:00 a.m. and ended at 9:00 p.m. She thought the City of Portland license should be enough. If every city required a license it would be a lot of money. Sometimes the drivers did not meet their quotas in a

day. Uber and Lyft also took a share of the profits. She did not give rides to and from Canby very often.

Mayor Hodson said there was a cab company in Canby, and there was a perceived inequality regarding a business license and leveling the playing field. The Council would take a closer look at this and it would come back on a Council agenda. The business license requirement would not be enforced at this time.

MAYOR'S BUSINESS: Mayor Hodson said Canby Cleanup Day would be on Sunday. The Dahlia project was underway. The old finance building had been taken down today and the Development Services building would be coming down in the next few days. A groundbreaking ceremony would be held in the near future. Allegro Dance Studio was having a recital this weekend.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Smith said the Planning Commission cancelled their last meeting and the Fire Board had not met either.

Councilor Parker said the Historic Review Board received a grant for phase II of the Baker Prairie Cemetery cleanup. Every headstone would be cleaned and repaired.

Councilor Dale said Canby Utility's Backflow Prevention Plan had been approved by the Oregon Health Authority. There had been minor power outages around town due to squirrels. The groundbreaking for their new building would take place in September.

Councilor Heidt said the Library Volunteer Appreciation event was held and Carol Wagner was the Volunteer of the Year. Over 400 children, over 100 teens, and a few adults had signed up for the Summer Reading Program. The security cameras had been installed. The radio frequency identification project was almost complete. The library was hiring a part time staff person. The School District was offering a free lunch program at Knight Elementary from July 5 to August 4 and at Wait Park from August 7 to 18. There was Family Night at the Library on June 29. There would be a puppet show on Friday. She reported on the last School Board meeting. The school improvement plan for next year would focus on family engagement. She invited everyone to the Historic Society's pancake breakfast on July 4. Members of the Council volunteered to work a shift at the breakfast.

Councilor Spoon congratulated the high school graduating class of 2017. Canby Independence Day was thirteen days away and there was a need for more volunteers. The fireworks show was short on funds and donations were needed. There would be more street vendors than last year. Monday was the last day to sign up for the parade. CTV5 was still working on an original program.

CONSENT AGENDA: ****Councilor Dale moved to adopt the minutes of the June 7, 2017 City Regular Meeting minutes and the appointment of Russell Heinemann to the Bike and Pedestrian Committee for a term to end on June 30, 2020. Motion was seconded by Councilor Spoon and passed 5-0.**

PUBLIC HEARINGS: State Revenue Sharing Funds – Mayor Hodson read the public hearing format.

Julie Blums, Finance Director, said this public hearing was to address how the City should spend the State shared revenue that the City received. Currently it was budgeted to go into the General Fund. She explained the taxes and revenues the City received from the State.

Mayor Hodson opened the public hearing at 8:13 p.m.

Public Testimony: None.

Mayor Hodson closed the public hearing at 8:13 p.m.

2017-2018 FY Budget as Approved by Budget Committee – Ms. Blums stated this resolution appropriated the funds for the City's budget and designated the tax levy for the year. The appropriations were the legal limits of spending. The Budget Committee approved the budget on May 18 with a minor modification to move money from the current year to next year for some capital projects. The permanent tax rate was 3.4886 per \$1,000 of assessed value and for the local option levy it was 0.49 per \$1,000 of assessed value.

Rick Robinson, City Administrator, read the appropriations for each department.

Mayor Hodson opened the public hearing at 8:18 p.m.

Public Testimony: Robert Cambra, Canby resident, read in the *Canby Herald* that the Library's fund was going to be cut by 50% and that other departments were going to have an increase.

Mr. Robinson said the library operating budget had increased by about \$70,000. Last year's budget had money budgeted for the construction and opening of the new library that would not be necessary in the next fiscal year.

Jason Padden, Canby resident, said he was a member of the City Budget Committee. It had been an honor to serve as a member. It was a standard budget and refreshing that he was able to teleconference for one meeting.

Mayor Hodson closed the public hearing at 8:27 p.m.

Amending Methodologies and Fees for Sanitary Sewer and Stormwater SDCs – Curt McLeod, City Engineer, had worked with the City on updating the SDC methodologies. The update documented all the City improvements that needed to be done. It also generated a cost for the projects and revenue sources for the projects. The last time the sanitary sewer was done was in 2011. Statute requirements were now spelled out in the document and administration costs were now being adopted. The way commercial and industrial SDCs were applied had been modified as well. Instead of being based on the water meter size, it would be based on average waste contribution. The fee for sanitary sewer was being reduced by 6% this year. The Stormwater Master Plan had been completed in 2013 and in the plan was a list of capital improvements which were incorporated in the SDC. The existing SDC did not have a reimbursement component for the costs that had been invested in the system and the new SDC added in that component. The fee would be increased by 36%, but it was still a modest fee. The Statute didn't require a public hearing, but they were being conservative and holding one for citizens to voice any concerns.

Councilor Smith asked if there had been any complaints from builders or developers.

Mr. McLeod had not heard any complaints about Canby's charges.

There was discussion regarding the reasons for the reduction of and the new methodology for the sanitary sewer SDC.

Mayor Hodson opened the public hearing at 8:52 p.m.

Public Testimony: None.

Mayor Hodson closed the public hearing at 8:53 p.m.

RESOLUTIONS & ORDINANCES: Resolution 1264 – ****Councilor Dale moved to adopt Resolution 1264, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2016-2017 FISCAL YEAR. Motion was seconded by Councilor Heidt.**

Resolution 1265 – ****Councilor Spoon moved to adopt Resolution 1265, A RESOLUTION VERIFYING THAT THE CITY OF CANBY HAS MET THE REQUIREMENTS TO RECEIVE STATE-SHARED REVENUE MONEY. Motion was seconded by Councilor Heidt and passed 5-0.**

Resolution 1266 – ****Councilor Smith moved to adopt Resolution 1266, A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2017-2018. Motion was seconded by Councilor Heidt and passed 5-0.**

Resolution 1267 – ****Councilor Heidt moved to adopt Resolution 1267, A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS, AND IMPOSING AND CATEGORIZING TAX FOR THE 2017-2018 FISCAL YEAR. Motion was seconded by Councilor Dale and passed 5-0.**

Resolution 1268 – ****Councilor Parker moved to adopt Resolution 1268, A RESOLUTION UPDATING THE METHODOLOGY AND FEES FOR THE SANITARY AND STORMWATER SYSTEM DEVELOPMENT CHARGES. Motion was seconded by Councilor Dale and passed 5-0.**

Resolution 1264 (Continued) -Ms. Blums explained the items in the supplemental budget. The first was to add an appropriation to the Street Fund to transfer the Street Reimbursement SDCs into the SDC Fund and the other was to recognize additional revenues and expenditures in the Planning Department due to growth.

Councilor Heidt asked for a recap on the different housing projects that were going in.

Mr. Robinson highlighted the current projects and their locations.

Motion passed 5-0

Resolution 1269 – Joe Lindsay, City Attorney, requested the Council consider both Resolution 1269 and Resolution 1270 as they were identical, just for two different companies, and extended the franchise terms for three years. He explained the franchise agreements were for these cable companies to use the public right-of-way. DirectLink's franchise for telephone was up in three years and extending this would allow for both to be negotiated at the same time and address any changes in the industry. They would also be able to treat Wave the same as DirectLink.

There was discussion regarding the franchise agreements and timing for the negotiations.

Councilor Dale said it was a great chance to look holistically at the new technology and create an equitable agreement for all the parties.

****Councilor Dale moved to adopt Resolution 1269, A RESOLUTION AMENDING THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF CANBY AND CANBY TELEPHONE ASSOCIATION DBA DIRECTLINK. Motion was seconded by Councilor Spoon and passed 5-0.**

Resolution 1270 – ****Councilor Dale moved to adopt Resolution 1270, A RESOLUTION AMENDING THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF CANBY AND WAVEDIVISION VII, LLC. DBA WAVE. Motion was seconded by Councilor Heidt and passed 5-0.**

Ordinance 1461 – ****Councilor Heidt moved to adopt Ordinance 1461, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH EAGLE-ELSNER, INC. IN THE AMOUNT OF \$886,688.00 WITH AUTHORIZATION TO EXPAND THE WORK SCOPE TO AN AMOUNT NOT TO EXCEED \$950,000.00 FOR CONSTRUCTION OF THE 2017 STREET RESURFACING PROGRAM; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Dale and passed 6-0 by roll call vote.**

NEW BUSINESS: Cancellation of July 5, 2017 City Council Meeting – Mayor Hodson said there were no items for an agenda on July 5. There was consensus to cancel the meeting.

ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mr. Robinson had reviewed and signed the South Ivy Intergovernmental Agreement with ODOT, Clackamas County, and the City. This would be a reconstruction project on S Ivy from 99E to 13th Avenue and included a stop light at S Ivy and Township. The County was considering giving the City jurisdiction of S Fir Street between 13th and the City boundary to the south.

Mayor Hodson asked for an update on 99E and the Barlow Bridge.

Mr. Robinson stated ODOT was planning to do repairs on the bridge surface this summer, but he did not know when. Traffic would need to be redirected, and he was continuing to work with ODOT to make sure it would be the least disruptive to the community.

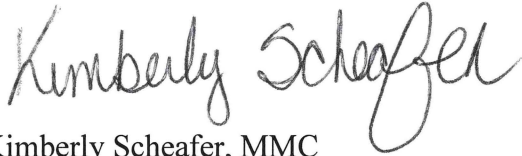
CITIZEN INPUT: None.

ACTION REVIEW:

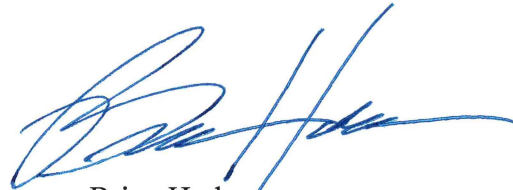
1. Approved the Consent Agenda.
2. Adopted Resolution 1264.
3. Adopted Resolution 1265.
4. Adopted Resolution 1266.
5. Adopted Resolution 1267.
6. Adopted Resolution 1268.
7. Adopted Resolution 1269.
8. Adopted Resolution 1270.
9. Adopted Ordinance 1461.
10. Staff would cancel the July 5, 2017 City Council Meeting.

There was no Executive Session.

Mayor Hodson adjourned the Regular Meeting at 9:18 p.m.

A handwritten signature in blue ink that reads "Kimberly Scheafer". The signature is fluid and cursive, with the first name being more prominent.

Kimberly Scheafer, MMC
City Recorder

A handwritten signature in blue ink that reads "Brian Hodson". The signature is very stylized and cursive, with a long horizontal stroke at the end.

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood