

**CANBY CITY COUNCIL  
CITY COUNCIL WORK SESSION  
October 16, 2013**

**Presiding:** Mayor Brian Hodson

**Council Present:** Todd Rocha, Traci Hensley, Clint Coleman, Tim Dale, Greg Parker, and Ken Rider.

**Staff Present:** Greg Ellis, City Administrator; Joseph Lindsay, City Attorney; and Kim Scheafer, City Recorder.

**Others Present:** Duke Dexter, Alan Hammond, Paul Hauer, Roger Reif, Don Peterson, Alan Galloway, and Bev Doolittle.

Mayor Hodson called the Work Session to order at 6:30 p.m. in the City Hall Conference Room.

The Council met in a Work Session to discuss proposed revisions to Canby Municipal Code Chapter 12.36 Telecommunications Facilities.

Joseph Lindsay, City Attorney, said Council had given him direction to draft language to include wireless telecommunications in the telecommunications ordinance and to add an annual registration fee. He also drafted the option that if there was a registration fee there could be a deduction applied against the fee for franchisees. There was also a penalty included in the ordinance.

A discussion took place regarding the changes proposed and what other cities did. The Council direction was to adopt the ordinance first and then the resolution to set fees at a later meeting.

Mayor Hodson adjourned the Work Session at 6:50 p.m.

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**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
October 16, 2013**

**Presiding:** Mayor Brian Hodson

**Council Present:** Todd Rocha, Traci Hensley, Clint Coleman, Tim Dale, Greg Parker, and Ken Rider

**Staff Present:** Greg Ellis, City Administrator; Joseph Lindsay, City Attorney; Bret Smith, Chief of Police; and Kim Scheafer, City Recorder.

**Others Present:** Bob Cornelius and Richard Kosesaw.

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

National Magic Week Proclamation – Mayor Hodson read a proclamation proclaiming October 25-31, 2013 as National Magic Week in Canby.

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** None.

**MAYOR'S BUSINESS:** Mayor Hodson thanked the Chamber for Shred-It-Day. The next one would be in April. He attended the Ford Leadership introduction meeting. A new session would be starting in February 2014. There was a great turnout for Manufacturing Day. The Urban Renewal Agency came to consensus to recommend the Council refer a civic building ballot title to the voters in May.

Kim Scheafer, City Recorder, said this topic was scheduled for the November 20 City Council meeting.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Rocha reported on the Parks and Recreation Advisory Board meeting where the Northwood Park, bid for the new dog park, and property acquisition for land near Community Park were discussed. The Canby Fire Department was working on replacing the retiring Fire Chief and to look at efficiencies and money saving ideas.

Councilor Hensley reported on the Canby School Board meeting where new grading practices were discussed and a potential levy had been tabled. She also attended the Ford Leadership meeting. Her daughter signed up for the second cohort project. An Industrial Forum was held at American Steel today.

Councilor Coleman attended the Library Board Work Session with the Council last week. He was very encouraged after the Work Session. The Traffic Safety Commission met last week. A company spoke at the Industrial Forum regarding safety and leadership in the workplace. He then gave a background on American Steel.

Councilor Parker said the Historic Review Board met and their first project was to place historic plaques around the City. Their next meeting would be on November 4. The Bike and Pedestrian Committee would meet on October 29 to continue the discussion on bike tours. The Canby Main Street Spooktacular would have a parade starting at 4:30 p.m. on October 31.

Councilor Rider said the newest addition to the Planning Commission took his place at the last meeting. They discussed a street vendor ordinance that dealt with food trucks and sidewalk vendors.

**CONSENT AGENDA:** **\*\*Councilor Dale moved to adopt the minutes of the October 2, 2013 City Council Work Session and Regular Meeting. Motion was seconded by Councilor Hensley and passed 6-0.**

**PUBLIC HEARING:** Secondhand Dealer Application and Annual Permit Fees –

Mayor Hodson read the public hearing script.

Staff Report: Bret Smith, Chief of Police, said the purpose of the secondhand dealer ordinance

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was to regulate certain business activities and property being brought in for sale. The biggest concern was stolen property. The City would work directly with the businesses and there would be more emphasis on consequences for failure to comply.

Joseph Lindsay, City Attorney, explained the application and annual permit fee.

Chief Smith said the fees would go toward operating the computer system that maintained the information.

Councilor Hensley said this was for regulated property only and would not have any unintended consequences for clothing or antique stores.

Chief Smith said this was more for guns, gold, power tools, etc.

Councilor Parker asked Chief Smith to talk about the current pawn shop in Canby.

Chief Smith said they met with the owner before the store was even opened. It was an ordinance the owner was currently using at another location. The owner was very open to the ordinance and there had been positive cooperation between the owner and Police Department.

Mayor Hodson opened the public hearing at 8:02 p.m.

PROPOSERS: None.

OPPOSERS: None.

Mayor Hodson closed the public hearing at 8:02 p.m.

**RESOLUTIONS & ORDINANCES:** Resolution 1176 – **\*\*Councilor Dale moved to adopt Resolution 1176, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY, OREGON, SETTING FEES FOR SECONDHAND DEALERS UNDER CANBY MUNICIPAL CODE CHAPTER 5.06. Motion was seconded by Councilor Rocha and passed 6-0.**

Ordinance 1385 – **\*\*Councilor Dale moved to adopt Ordinance 1385, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 12.32 REGARDING TREE REGULATIONS; ADOPTING A STREET TREE PLANTING AND MAINTENANCE POLICY; AND ADOPTING AN OFFICIAL STREET TREE LIST. Motion was seconded by Councilor Rider and passed 6-0 by roll call vote.**

Ordinance 1386 – **\*\*Councilor Hensley moved to approve Ordinance 1386, AN ORDINANCE ADDING CANBY MUNICIPAL CODE (CMC) CHAPTER 5.06 REGARDING THE REGULATION OF SECONDHAND DEALERS IN THE CITY OF CANBY to come up for second reading on November 6, 2013. Motion was seconded by Councilor Coleman and passed 6-0 on first reading.**

**NEW BUSINESS:** Amendment to Employment Contract with City Attorney – Mayor Hodson said the Council met to discuss the City Attorney's performance and compensation package. The new pay rate would go into effect October 27.

**\*\*Councilor Dale moved to adopt the Amendment to Employment Contract with the City Attorney. Motion was seconded by Councilor Parker and passed 6-0.**

**ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Greg Ellis, City Administrator, said the curbs had been painted on NW Cedar. The Technical Advisory Committee for the Team Track would meet on October 17. He would be participating in the visioning for the Clackamas Community Event Center on October 23. There were still issues with the turkeys. He asked if the Council wanted him to become involved with the Marion/Polk/Yamhill Area Commission on Transportation.

There was consensus for Mr. Ellis to start the dialogue.

Mr. Ellis said staff was looking into a quiet zone for the railroad and the option of placing barriers in the middle of the road so people could not go around the cross arms. A beautification easement was submitted to Union Pacific Railroad and it was granted for \$250.

**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Adopted Resolution 1176.
3. Adopted Ordinance 1385.
4. Approved Ordinance 1386 to come up for second reading on November 6, 2013.
5. Approved Amendment to the Employment Contract with the City Attorney.

There was no Executive Session.

Mayor Hodson adjourned the meeting at 8:24 p.m.



Kimberly Scheafer, MMC  
City Recorder



Brian Hodson  
Mayor

Assisted with Preparation of Minutes - Susan Wood

**AMENDMENT TO EMPLOYMENT CONTRACT**  
**City Attorney**

**This Amendment**, dated October 16, 2013, to the Employment Agreement dated March 12, 2012, between the City of Canby, Oregon, a Municipal Corporation, and Joseph A. Lindsay, is intended to memorialize negotiations between the parties regarding a 5.0% merit increase in base salary.

Section 5 of the current employment agreement is amended by changing the amount of the base salary to \$68,250.00 per year, effective retroactive to March 12, 2013, representing a merit increase of 5% and continuing at said base salary through October 26, 2013.

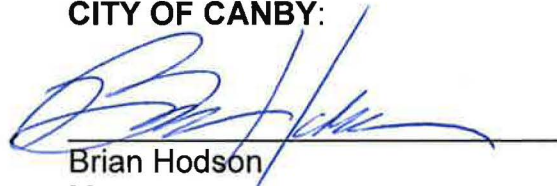
Effective October 27, 2013, Section 5 of the current employment agreement is amended by changing the amount of the base salary to \$90,000.00 per year, which represents a comparable and competitive salary for the City Attorney position.

The Council will meet with Joseph A. Lindsay within the next 30-60 days to develop and discuss goals, objectives and training opportunities for the next review period. Any future salary increases will be based on merit and economic conditions.

All other terms and conditions of the current employment agreement remain in full force and effect, including a full time, five-day workweek.

**IN WITNESS WHEREOF**, the undersigned have executed this Amendment to Employment Agreement the day and year first written above.

**CITY OF CANBY:**

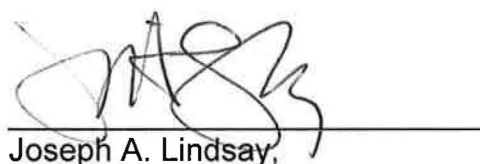


Brian Hodson  
Mayor

**ATTEST:**



Kimberly Scheafer,  
City Recorder, MMC



Joseph A. Lindsay,  
Canby City Attorney