

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
February 6, 2013**

**Presiding:** Mayor Brian Hodson

**Council Present:** Rich Ares, Traci Hensley, Tim Dale, and Greg Parker.

**Staff Present:** Greg Ellis, City Administrator; Joseph Lindsay; City Attorney; Bryan Brown, Planning Director; Angie Lehnert; Associate Planner; and Kim Scheafer, City Recorder.

**Others Present:** Craig Lewelling, Gwen Polgar, Clint Coleman, Bob Cavanaugh, Lee Wiegand, Bev Doolittle, Gina Hosford, Deone Mateson, and Kim Adams.

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

Barbershop Singing Week Proclamation – Mayor Hodson read a proclamation proclaiming February 10-16, 2013, as Barbershop Singing Week in Canby and presented it to Bob Cavanaugh. A quartet sang a song.

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Lee Wiegand, Pastor at First Baptist Church, handed out cards to the Council and asked them to write down prayer requests. He encouraged the Council to think about exempting churches from the Street Maintenance Fee.

Gina Hosford, new Chamber President, said the Chamber looked forward to a good partnership with the City.

**MAYOR'S BUSINESS:** Mayor Hodson wished his children a happy birthday. He announced CAT celebrated its two millionth rider. The Council Goal Setting would be on February 23. The Ford Leadership group had a graduation.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Ares attended the second library planning meeting and there was a good turnout. The next meeting would be at the Police Department on February 19.

Councilor Hensley also attended the library planning meeting, a roundtable with Senator Schrader, CCA dinner, Chamber Gala, and School Board meeting. The Main Street Promotions Committee was planning a Garden Spot Run on May 4. The Design Committee was working on a façade improvement tool box for new businesses and discussed murals. She also attended the Effective Organizations Kick Off for improving non-profit organizations.

Councilor Dale attended both library planning meetings and rode to Oregon City with the two millionth CAT rider as well as passed out treats to celebrate. CAT also honored the longest Para-Transit customer.

Councilor Parker said the Canby Fun Run would be concurrent with the Master Gardener event the first weekend in May. OCTS was having an Open House on February 21 from 3-6 p.m. The

Bike and Pedestrian Committee was doing some strategic visioning for bicycle tourism.

Councilor Rider thanked Councilor Dale for filling in for him at the CAT celebration. He toured libraries in Camas, Washington, and Lebanon, Oregon, and got some great insights. Additional plans were shown at the Library Board meeting. Grant paperwork for the new library had been submitted.

**CONSENT AGENDA: \*\*Councilor Dale moved to adopt minutes of the January 16, 2013, City Council Work Session and Regular Meeting; appointment of Mindy Montecucco to the Bicycle and Pedestrian Committee for a term to end on June 30, 2014; and appointment of Jack Pendleton to the City Budget Committee for a term to end on June 30, 2015. Motion was seconded by Councilor Hensley and passed 5-0.**

**PUBLIC HEARING: TA 12-03 Land Development and Planning Code Edits** – Mayor Hodson read the public hearing format.

**CONFLICT OF INTEREST:**

Councilor Ares – No conflict, plan to participate.  
Councilor Hensley – No conflict, plan to participate.  
Councilor Dale – No conflict, plan to participate.  
Councilor Parker – No conflict, plan to participate.  
Councilor Rider – No conflict, plan to participate.  
Mayor Hodson – No conflict, plan to participate.

**EX PARTE CONTACT:**

Councilor Ares – No contact.  
Councilor Hensley – No contact.  
Councilor Dale – No contact.  
Councilor Parker – No contact.  
Councilor Rider – No contact.  
Mayor Hodson – No contact.

**STAFF REPORT:** Angie Lehnert, Associate Planner, gave a summary of the text amendments to the Zoning Code which were mostly housekeeping items to keep the Code up to date. The Planning Commission recommended approval of the amendments.

She asked Council's opinion about adding language to encourage screening of trash and dumpsters downtown. There were complaints about a few businesses and staff had tried to solve the issue by getting the businesses to work together. It was difficult to retrofit existing businesses for screening.

There was Council consensus to leave the wording as it was.

Ms. Lehnert asked Council's opinion on abandoned signs being removed after 30 days. The Planning Commission did not recommend it because it would be difficult to enforce.

There was discussion that the City could not enforce it if the language wasn't there.

There was Council consensus to include the language as proposed for abandoned signs.

Ms. Lehnert discussed another proposed change, which was the prevailing attorney “may” assist in the preparation of findings instead of “shall.”

There was discussion regarding staff’s and the City Attorney’s roles in the findings process and the ambiguity of the word “may.”

The Council consensus was to leave it as “shall assist in the preparation of findings.”

Councilor Dale discussed the change for modifications on Type 2 decisions, which would be delegated to the Planning Director.

Bryan Brown, Planning Director, said the changes were to comply with State Statutes that said Type 2 applications were administratively approved, appeals would go to the Planning Commission, and to give notice before a decision was made instead of after the decision was made.

There was discussion regarding examples of Type 2 decisions where this would apply.

Councilor Dale asked about the changes to written interpretations.

Ms. Lehnert explained interpretations happened over the counter every day and this eliminated the need for written interpretations for those. If it was more complicated, such as interpreting the intent of the Code, it would be written down.

Councilor Dale asked about lowering the percentages for the tables in the Code, and Ms. Lehnert said it was to make it more development friendly.

Councilor Dale asked about the removal of the selection of tree species, and Ms. Lehnert replied there was no specific list and the decision would lie with the Planning department.

Councilor Dale questioned the requirement that Council hearings would be based solely on the record of the Planning Commission, and Joseph Lindsay, City Attorney, explained the Council had the power to hear more information, but not open it up for further argument.

Mayor Hodson opened the public hearing at 8:58 p.m.

There was no public testimony.

Mayor Hodson closed the public hearing at 8:58 p.m.

**RESOLUTIONS & ORDINANCES:** Ordinance 1369 – **\*\*Councilor Hensley moved to approve Ordinance 1369, AN ORDINANCE AMENDING TITLE 16 OF THE CANBY MUNICIPAL CODE as amended to come up for second reading on February 20, 2013. Motion was seconded by Councilor Rider and passed 5-0 on first reading.**

**NEW BUSINESS:** City Council Applicant Interviews and Appointment – The Council interviewed Gwendolyn Polgar, Craig Lewelling, and Clint Coleman. Each candidate gave their

background and answered questions including: what appeals to you about serving on the Council, would you consider running for the November 2014 seat, what is the most pressing problem in the City, how do you deal with conflict, do you have a specific goal or specific improvement you would like to make, what is your time commitment to Council, give an example of how you worked or participated as a team, discuss a time when you were forced to make an unpopular decision, what is your understanding and view of Urban Renewal, and where do you see Canby in 20 years.

The Council discussed the three candidates and each told who their first choice was.

**\*\*Councilor Ares moved to appoint Clint Coleman to the Canby City Council to fill the remainder of a term which ends December 31, 2014. Mr. Coleman would be sworn in at the February 20, 2013 City Council Meeting. Motion was seconded by Councilor Dale and passed 5-0.**

**ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Greg Ellis, City Administrator, said the deadline for the Canby Visioning surveys was yesterday and 57 had been received. Results would be given to the Council prior to the Goal Setting. Staff's Departmental Goals would be updated as well.

**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Approved Ordinance 1369 to come up for second reading on February 20, 2013.
3. Appointed Clint Coleman to the City Council to be sworn in on February 20, 2013.

There was no Executive Session.

Mayor Hodson adjourned the Regular Meeting at 10:00 p.m.



Kimberly Scheafer, MMC  
City Recorder



Brian Hodson  
Mayor

Assisted with Preparation of Minutes - Susan Wood