

**CANBY CITY COUNCIL  
WORK SESSION MINUTES  
June 6, 2012**

**Presiding:** Mayor Randy Carson

**Council Present:** Rich Ares, Traci Hensley, Brian Hodson, Walt Daniels, Greg Parker, and Tim Dale.

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

**Others Present:** Matt Michel.

Mayor Carson called the Work Session to order at 6:35 p.m. in the City Hall Conference Room.

The Council met in a Work Session to discuss a privilege tax.

There was discussion regarding the pros and cons of a privilege tax for any entity using the City's right-of-way to provide services. The other option was a registration fee. There was further discussion regarding how these fees would work with the current franchise fees and the County's dark fiber project.

Councilor Ares thought there should be a charge for anything that was in the ground so it was equal for all that were providing service.

Councilor Parker suggested for the County to do a one-time fee or in lieu of the fee do road construction rather than a 20 year franchise fee.

Joseph Lindsay, City Attorney, would meet with Canby Telcom and other organizations to get more information and give a recommendation to the Council for how to proceed.

Mayor Carson adjourned the Work Session at 7:24 p.m.

---

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
June 6, 2012**

**Presiding:** Mayor Randy Carson

**Council Present:** Rich Ares, Traci Hensley, Brian Hodson, Walt Daniels, Greg Parker, and Tim Dale.

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

**Others Present:** Bob Cornelius, Paul Carlson, Greg Perez, JillMarie Wiles, Joan Monen, Jeanie & Wayne Looney, Lila Gottman, and Tim Stuart.

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

Canby Livability Day Proclamation – Mayor Carson read a proclamation proclaiming the fourth Sunday in June as Canby Livability Day and presented the proclamation to JillMarie Wiles. Ms. Wiles said that all the projects were on Canby Livability's website. They had received a grant from Clackamas County. Any ability and age level were invited to participate.

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Paul Carlson, resident of Canby, announced the Canby Charity Run which was a half marathon and 10K that would be held on August 25. Last year 227 people participated. The goal was for this to be a premier race and raise money for local charities. Proceeds would go to the Canby Center and the Chamber's Benevolence Fund to help the less fortunate at Christmas time. He invited the Council to come up with teams of four people.

Lila Gottman, General Canby Day Chair, said it would be the 30<sup>th</sup> year of the event. She handed out parade applications to the Council. Greg Perez had volunteered to film and narrate the parade. Canby Telcom was still their biggest supporter. She described the vendors and said live bands would be playing on the stage all day.

**MAYOR'S BUSINESS:** Mayor Carson hosted the Mayor's Prayer Breakfast, attended a First Avenue project meeting, talked to students at Knight Elementary School, hosted the Memorial Day Ceremony at the Zion Cemetery, and attended an Eccles School field trip to the Oregon State Capital.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Ares attended the Wine and Art Festival at the Clackamas County Event Center last weekend.

Councilor Hensley also attended the Mayor's Prayer Breakfast. She attended First Friday and had completed the Ford Foundation Leadership Classes. Their new project would be bicycle racks in Canby.

Councilor Hodson said a Special Planning Commission meeting was held on Monday for Habitat for Humanity's ReStore facility. He thanked Annie Tran for the First Friday event as well as the City and the Chamber. He would be attending the C4 meeting tomorrow. He announced a ribbon cutting for Bricks and Mini Figs on June 8.

Councilor Daniels also attended First Friday and encouraged people to come downtown. The newest bus was also displayed that night. The Historical Society would be having their annual Pancake Feed on July 4. Every Friday the *Canby Herald* would be getting an update on the 1<sup>st</sup> Avenue Redevelopment project which would be published the next Wednesday.

Councilor Parker had been visiting businesses along 1<sup>st</sup> Avenue and the businesses were doing fine. He attended a County Economic Development program on exports. The new Main Street Manager, Jamie Stickel, was on board. He reported at the Bike & Pedestrian Committee meeting there was discussion regarding people putting garbage cans in bike paths, the 99E Corridor Plan, trees on the streets were reported and removed, and bikes on SMART buses. He also attended the Wine and Art Festival.

Councilor Dale also attended the Mayor's Prayer Breakfast, 1<sup>st</sup> Avenue meeting, First Friday, and Industrial Forum. Canby Utility had changed their collection and deposit policies, made a modest change to their SDCs, had changed their website, and developed a new brochure on power usage and safety.

**CONSENT AGENDA: \*\*Councilor Daniels moved to adopt the minutes of the May 16, 2012 City Council Regular Meeting; reappointment of Kevin Batridge to the Bike & Pedestrian Committee for a term to expire on June 30, 2015, appointment of Jacqueline Jones to the Parks & Recreation Advisory Board for a term to expire on June 30, 2015; reappointed of Rick Maier to the Parks & Recreation Advisory Board for a term to expire on June 30, 2015; and appointment of Roger Reif to the Library Board for a term to expire on June 30, 2016. Motion was seconded by Councilor Hodson and passed 6-0.**

**PUBLIC HEARING:** Request for Noise Variance from Sidewinder, Inc. dba the Wild Hare Saloon and Café – Kim Scheafer, City Recorder, said the request was for a variance on July 28, 2012 for an outdoor concert between the hours of 4 p.m. and 12:30 a.m. No public input had been received and the Police Department was in support of the variance.

Mayor Carson opened the public hearing at 8:10 p.m.

Public Testimony: None.

Mayor Carson closed the public hearing at 8:10 p.m.

Joan Monen, owner of the Wild Hare Saloon and Café, described the event. She would be contacting Canby High School for more parking options. Radio station KGON was one of their main sponsors.

Mayor Carson reopened and then closed the public hearing at 8:15 p.m.

**Councilor Parker moved to grant a Noise Variance to the Wild Hare Saloon & Café on July 28, 2012 between the hours of 4 p.m. and 12:30 a.m. to provide live music outside located at 1190 SW First Avenue. Motion was seconded by Councilor Hensley and passed 6-0.**

**RESOLUTIONS & ORDINANCES: Resolution 1129 – \*\*Councilor Hodson moved to adopt Resolution 1129, A RESOLUTION EXTENDING THE CITY OF CANBY'S WORKERS' COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF CANBY AND REPEALING RESOLUTION 1104. Motion was seconded by Councilor Hensley and passed 6-0.**

Resolution 1130 – Greg Ellis, City Administrator, said the Police Association had agreed to a contract extension for one year and would reduce their cost of living increase by 1%.

**\*\*Councilor Daniels moved to adopt Resolution 1130, A RESOLUTION TO RATIFY THE CONTRACT EXTENSION BETWEEN THE CITY OF CANBY (CITY) AND THE CANBY POLICE ASSOCIATION (ASSOCIATION) FOR THE PERIOD FROM JULY 1, 2012 THROUGH JUNE 30, 2013. Motion was seconded by Councilor Hodson and passed 6-0.**

Resolution 1131 – Joseph Lindsay, City Attorney, said the Erosion Control Manual that was referenced in the Ordinance talked about the older version. The resolution would make sure the City was using the correct version.

**\*\*Councilor Ares moved to adopt Resolution 1131, A RESOLUTION ADOPTING THE 2008 REVISED VERSION OF THE EROSION PREVENTION AND SEDIMENT CONTROL PLANNING AND DESIGN MANUAL FOR THE CITY OF CANBY. Motion was seconded by Councilor Dale and passed 6-0.**

Ordinance 1358 – Julie Wehling, Transit Director, said it would take 16 months to get the new Gillig buses. She discussed how these buses differed from the current ones in the City's fleet. They were sturdier and built to last 12 years or 500,000 miles. She explained the process for purchasing the buses.

**\*\*Councilor Daniels moved to approve Ordinance 1358, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO PURCHASE TWO (2) VEHICLES FOR CANBY AREA TRANSIT FROM GILLIG LLC UTILIZING THE ASSIGNABILITY PROVISION OF CONTRACT 09-C05 BETWEEN THE CENTRAL FLORIDA TRANSPORTATION AUTHORITY D/B/A LYNX AND GILLIG LLC OF CALIFORNIA to come up for second reading on June 20, 2012. Motion was seconded by Councilor Dale and passed 6-0.**

Ordinance 1359 – Councilor Daniels requested that signs be put up again stating that the Street Maintenance Fee was paying for the paving.

**\*\*Councilor Daniels moved to approve Ordinance 1359, AN ORDINANCE AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH EAGLE-ELSNER, INC. IN THE AMOUNT OF \$534,435.00 FOR CONSTRUCTION OF THE 2012 STREET MAINTENANCE PROGRAM; AND DECLARING AN EMERGENCY to come up for second reading on June 20, 2012. Motion was seconded by Councilor Hodson and passed 6-0.**

**NEW BUSINESS:** Mr. Ellis received a call from a 1<sup>st</sup> Avenue business owner who complained about other businesses parking in front of their business instead of leaving the spaces open for customers.

Councilor Hodson requested that business owners, who were watching the meeting, talk with their employees about parking away from their business so that there were spaces left open for customers.

Mr. Ellis said a sidewalk vending in a park request had been received. A previous City Council had approved vending in parks, but vendors had to come to the Council for permission. He was requesting permission for the Council to give that authority to him. Staff had developed regulations for vendors to follow. There would be a limit of two vendors in one park on a first come first served basis. The Sidewalk Vending Annual Permit would be used.

**\*\*Councilor Ares moved to allow the City Administrator permission to approve requests to vend in City Parks. Motion was seconded by Councilor Hodson and passed 6-0.**

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** None.

**CITIZEN INPUT:** None.


**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Approved a Noise Variance for the Wild Hare Saloon and Café on July 28.
3. Adopted Resolution 1129
4. Adopted Resolution 1130
5. Adopted Resolution 1131
6. Approved Ordinance 1358 to come up for second reading on June 20, 2012.
7. Approved Ordinance 1359 to come up for second reading on June 20, 2012.
8. Approved the City Administrator permission to approve requests to vend in City Parks.
9. Approved the noise variance for Wild Hare Saloon and Café.

There was no Executive Session.

Mayor Carson adjourned the Regular Meeting at 8:50 p.m.

  
Kimberly Scheafer, MMC  
City Recorder

  
Randy Carson  
Mayor

Assisted with Preparation of Minutes - Susan Wood