

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
June 1, 2011**

Presiding: Mayor Randy Carson.

Council Present: Rich Ares, Traci Hensley, Jason Padden, Walt Daniels, and Greg Parker.
Councilor Brian Hodson was absent.

Staff Present: Greg Ellis, City Administrator; John Kelley, City Attorney; Darvin Tramel, WWTP Supervisor; Bryan Brown, Planning Director; Sue Engels, Finance Director; Julie Wehling, Transit Director; and Kim Scheafer, City Recorder.

Others Present: Ray Bartlett, Tim Dale, Roger Skoe, Stephanie Boyce, John Henri, Bob Cornelius, Judy Adams, Bev Doolittle, Kathy Thompson, and Amee Foster.

CALL TO ORDER: Mayor Carson called the Regular Meeting to order at 5:40 p.m. in the City Hall Conference Room.

****Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(f) Exempt Public Records. Motion was seconded by Councilor Parker and passed 5-0.**

**CANBY CITY COUNCIL
WORK SESSION MINUTES
June 1, 2011**

Presiding: Mayor Randy Carson.

Council Present: Rich Ares, Traci Hensley, Jason Padden, Walt Daniels, and Greg Parker.
Councilor Brian Hodson was absent.

Staff Present: Greg Ellis, City Administrator; John Kelley, City Attorney; and Kim Scheafer, City Recorder.

Others Present: Donald Smith, Tim Dale, and Roger Skoe.

Mayor Carson called the Work Session to order at 6:30 p.m. in the City Hall Conference Room to discuss a request for a social gaming ordinance.

John Kelley, City Attorney, stated Donald Smith, citizen, was requesting implementation of a social gaming ordinance. He discussed what was authorized under the law and the history of social gaming in Canby.

There was discussion regarding what gambling events were allowed by law.

Donald Smith spoke to the Council regarding the differences between social gaming and gambling and thought the ordinance needed to reference the State ordinance or have specific items regarding social gaming in it. He explained how not having an ordinance affected his club.

They had to meet at a private residence to play Cribbage. They had lost members due to the size and noise of the location. They would prefer to meet at the American Legion building. He also described how a lack of a social gaming ordinance affected the City. He thought some of the activities held at the Adult Center might be in violation of State law. He then explained how his club donated back to the community.

Councilor Padden stated if an ordinance was approved, it opened it up to other things. Mr. Smith thought it would not if they were specific in the ordinance.

Councilor Ares thought it would be good to clear this up for other gaming events in the City, especially those that were done as fundraisers.

Councilor Parker thought there should be public input regarding this idea.

Councilor Ares wanted to see the language that limited social gaming from being gambling before showing it to the public.

Council direction was to have staff schedule a Work Session to discuss proposed ordinance language and then take public comment at an upcoming meeting regarding the ordinance.

Mayor Carson adjourned the Work Session at 7:15 p.m.

OPENING CEREMONIES: Mayor Carson reconvened the Regular Meeting at 7:30 p.m. in the City Council Chambers followed by the opening ceremonies.

Plaque Presentation to John Henri – Mayor Carson presented John Henri with a plaque in honor of his time served as City Councilor. Each Councilor expressed their appreciation to Mr. Henri for his valuable perspective and guidance on the Council.

Sewer Rate Increase Presentation – Darwin Tramel, WWTP Supervisor, introduced Ray Bartlett from Economic & Financial Analysis.

Mr. Bartlett gave a PowerPoint presentation on recent analysis for sewer and stormwater rates. He discussed the financial history and proposed budget for next fiscal year. The proposed new combined rate would be \$38.00 per month for a residential customer with an average of a 4% increase per year. In comparison to other nearby cities, Canby's rates were in the bottom quarter percentile.

There was discussion regarding the comparison cities, smoothing the rate increase, current stormwater issues, and new DEQ regulations.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: None.

MAYOR'S BUSINESS: Mayor Carson said he attended the General Canby Days Coronation. He had also attended a Clackamas County Economic Development Summit and the VFW ceremony at Zion Cemetery on Memorial Day.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Parker attended the Main Street Conference last week.

CONSENT AGENDA: ****Councilor Daniels moved to adopt the minutes of the May 3, 2011 City Council Special Meeting, minutes of the May 18, 2011 City Council Regular Meeting; reappointment of Liz Belz-Templeman to the Bike and Pedestrian Committee for a term to expire on June 30, 2014; and reappointment of Mark Triebwasser to the Parks and Recreation Advisory Board for a term to expire on June 30, 2014. Motion was seconded by Councilor Padden and passed 5-0.**

PUBLIC HEARINGS: Sewer Rate Increase – Mayor Carson opened the public hearing at 8:30 p.m.

Public Testimony: Judy Adams, Canby resident, asked if residents on septic tanks paid a stormwater fee.

Mr. Tramel said the ordinance stated if someone was still running a septic tank and were so many feet from a sewer system they were supposed to tie into the line. If they were out of City limits, they did not need to pay the fee.

Mayor Carson closed the public hearing at 8:34 p.m.

Update to City of Canby Master Fee Schedule – Sue Engels, Finance Director, said staff brought a master fee schedule to the Council last year and the Council requested fees to be updated annually. There were not many changes to the fees this year.

Councilor Ares said some fees had been reduced and some deleted.

Mayor Carson opened the public hearing at 8:35 p.m.

Public Testimony: John Henri, Canby resident, asked for a review of the proposed fees. He thought this was a good thing to do for public knowledge.

Councilor Ares read the list of increases, decreases, and eliminations in the fees. This information was also available on the City's website.

Mayor Carson closed the public hearing at 8:40 p.m.

RESOLUTIONS & ORDINANCES: Resolution 1099 – ****Councilor Daniels moved to adopt Resolution 1099, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY, OREGON, SETTING FEES FOR SERVICES INCLUDING UPDATED FEES FOR SANITARY AND STORM SEWER SERVICE. Motion was seconded by Councilor Ares and passed 5-0.**

Resolution 1100 – ****Councilor Padden moved to adopt Resolution 1100, A RESOLUTION CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES FOR THE CITY OF CANBY. Motion was seconded by Councilor Daniels and passed 5-0.**

Ordinance 1343 – Julie Wehling, Transit Director, said the rate had been modified and there was a significant reduction of hours for transit operations. It was a 32% reduction of service. The Budget Committee approved the budget with a \$283,137 reduction to the operating budget due to the elimination of the Business Energy Tax Credit funding. This was a one-year contract with four one-year renewal options.

Mayor Carson thought they were doing a good job with the money that was available.

Ms. Wehling said the next Transit Advisory Committee meeting would be held on January 8 at 5:30 p.m. to discuss the reduction of service further.

****Councilor Ares moved to approve Ordinance 1343, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH MV TRANSPORTATION, INC OF FAIRFIELD, CALIFORNIA FOR PROVIDING TRANSIT OPERATIONS FOR CANBY AREA TRANSIT (CAT); AND DECLARING AN EMERGENCY to come up for second reading on June 15, 2011. Motion was seconded by Councilor Daniels and passed 5-0.**

Ordinance 1344 – Greg Ellis, City Administrator, said this ordinance would continue the program for resurfacing and reconstructing streets in the City. He explained how the streets were determined for priority. The work would begin in a few weeks weather permitting.

Councilor Padden said when the fee was developed it was not supposed to be for curbs, sidewalks, and ADA ramps and those were listed in the project list. He cautioned staff to be careful that the fee not be used for what it was not intended for.

Councilor Ares thought last year's contractor did a phenomenal job and he hoped Eagle-Elsner would live up to the high standard they had set.

Councilor Parker thanked citizens as the fee paid for 9,000 tons of asphalt.

****Councilor Padden moved to approve Ordinance 1344, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH EAGLE-ELSNER, INC. IN THE AMOUNT OF \$709,768.00 FOR CONSTRUCTION OF THE 2011 STREET MAINTENANCE AND RESURFACING PROGRAM; AND DECLARING AN EMERGENCY to come up for second reading on June 15, 2011. Motion was seconded by Councilor Daniels and passed 5-0.**

NEW BUSINESS: Discussion Regarding Appointment of City Councilor – Kim Scheafer, City Recorder, said the deadline for applications was last Friday. No new applicants had applied. One of the previous three applicants had withdrawn their application.

Stephanie Boyce said she ran for City Council in November 2010 and came in fourth. She wanted to help promote and encourage community-oriented decision making and thought she would represent the citizens well.

Tim Dale said that the Council got a good feel last time for his qualifications. He had been to every City meeting and was even more excited to be involved on the Council.

Each Councilor stated which candidate they recommended appointing, and Mr. Dale was the unanimous choice.

****Councilor Daniels moved to appoint Tim Dale to fill the remainder upcoming vacant City Council position held by Jason Padden for a term to expire on December 31, 2012 and to be sworn in on July 20, 2011. Motion was seconded by Councilor Padden and passed 5-0.**

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.


CITIZEN INPUT: None.


ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Resolution 1099.
3. Adopted Resolution 1100.
4. Approved ordinance 1343 to come up for second regarding on June 15, 2011.
5. Approved ordinance 1344 to come up for second regarding on June 15, 2011.
6. Appointed Tim Dale to fill the upcoming vacant City Council position.

There was no Executive Session.

Mayor Carson adjourned the Regular Meeting at 9:08 p.m.


Kimberly Scheafer, CMC
City Recorder


Randy Carson
Mayor

Assisted with Preparation of Minutes - Susan Wood