

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
January 19, 2011**

Presiding: Mayor Randy Carson.

Council Present: Rich Ares, John Henri, Jason Padden, Walt Daniels, Greg Parker, and Brian Hodson.

Staff Present: Greg Ellis, City Administrator; Bryan Brown, Planning Director; and Kim Scheafer, City Recorder.

Others Present: Craig Gingerich, Robert Price, Matt Michel, Bob Cornelius, Bev Doolittle, Boy Scout Troop 400, Buzz Weygandt, Jason Roberts, Kyle Bagley, Sam Snider, Taylor Thompson, Bryon Langford, Chad Coon, Dusty Price, Robert Price, Daniel Purgiel, and Roger Skoe.

CALL TO ORDER: Mayor Carson called the Regular Meeting to order at 7:32 p.m. in the Council Chambers followed by opening ceremonies.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Mayor Carson introduced Boy Scout Troop 400.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Ares reported on the Parks and Recreation Advisory Board meeting. Staff would be going out for bids on Northwoods Park improvements soon, CAPRD would be going out for a 42 cent per thousand levy measure in May, which was the same amount that citizens were currently paying, and there was discussion on the possible uses for the Willamette Wayside parkland. The Rotary would be holding an auction on February 12 to raise funds to help finish the Vietnam Memorial.

Councilor Henri reported on the Canby Utility Board meeting. Canby Utility was working on an SDC increase, green power donation, an alternate source of water from the Willamette River had been approved, and they would be doing master planning on the water supply.

Councilor Padden reported on the Library Board meeting. They were excited to move forward with a new library and had talked about forming a foundation for endowments and to raise funds to help bring the new library to fruition.

Councilor Daniels said the Historical Society was closed in January and February for clean up. Ridership for November and December had increased from last year as well as an increase of disabled and elderly riders.

Councilor Parker said would be attending the Bike & Pedestrian Committee meeting next week.

Councilor Hodson announced the Chamber's annual gala on January 22.

CONSENT AGENDA: **Councilor Daniels moved to adopt the minutes of the December 8, 2010 City Council Special Meeting; minutes of the January 5, 2011 City Council Regular and Special Meetings; and reappointment of Jerry Smith to the Canby Utility Board to a term to expire on February 28, 2014. Motion was seconded by Councilor Padden and passed 6-0.

RESOLUTIONS & ORDINANCES: Resolution 1081 – Greg Ellis, City Administrator, said the City's transit system was audited and found not to have an ADA plan. CAT had been providing the service, but the plan had not been formally adopted.

****Councilor Ares moved to adopt Resolution 1081, A RESOLUTION ADOPTING A DOCUMENT ENTITLED CANBY AREA TRANSIT – CITY OF CANBY AMERICANS WITH DISABILITIES (ADA) PLAN. Motion was seconded by Councilor Daniels and passed 6-0.**

Ordinance 1340 – ****Councilor Padden moved to adopt Ordinance 1340, AN ORDINANCE ADOPTING A TRANSPORTATION SYSTEM PLAN UPDATE, AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Henri and passed 6-0 by roll call vote.**

NEW BUSINESS: Request from Transit Advisory Committee for a Donation Policy –

Mr. Ellis said this was direction to staff to develop a Donation Policy. The Transit Advisory Committee had discussed this idea for some time.

Councilor Ares thought the issue was accountability and a policy should be created.

Councilor Henri suggested a citywide policy to handle donations instead of specific departments.

****Councilor Ares moved to direct staff to establish a donation program and develop a policy and procedure for donations to the City of Canby and its entities. Motion was seconded by Councilor Henri and passed 6-0.**

Request for Exemption from Hope Village for Development Concept Plan Requirement – Bryan Brown, Planning Director, said there was a pending Hope Village annexation application and Hope Village was requesting an exemption from the requirement for a Development Concept Plan. It would require a larger area for the concept plan than what was being proposed and the surrounding area property owners were not in favor of annexation at this time. To do a concept plan, they would need the whole 60 acres, not the four acres as proposed.

Councilor Ares thought Hope Village should be allowed to finish their project.

Councilor Padden asked about what precedent this would set.

Mr. Brown said staff considered that issue, and the findings could detail the uniqueness of the situation. This might need to be something to change in the Code if several similar requests were made. The requirement had been established in response to neighborhood concerns about keeping annexations from being done piecemeal.

Councilor Parker was concerned about setting precedent, but he also wanted to be reasonable. He thought the ordinance needed more examination. He would be in support of the request.

Councilor Henri thought the concept plan requirement was a good idea, but it might not work in this instance.

Mayor Carson gave a background of how this requirement came about. It did not fit with this application.

Craig Gingerich, Hope Village Executive Director, said the potential four-acre development would be similar to facilities currently on their campus of independent living duplexes. The impact of the development on the City would be positive. The intention was to proceed with a more sizeable expansion, but it did not come to fruition. They were hoping to proceed with a much smaller annexation and hoped it would be granted the exemption. Upon development, they would oversize underground utilities in cooperation with the City for future development. He explained the neighborhood was positive about Hope Village's expansion. The situation was that Hope Village would purchase all of the property, but the terms did not come together.

There was discussion regarding the reasons for this exemption and whether or not a precedent would be set.

****Councilor Ares moved to exempt Hope Village's four-acre site area (Tax Lots 900 and 1000 in T4S, R1E, SE ¼ of Section 9) from the requirements of Chapter 16.84 requiring a Development Concept Plan prior to approval by the City Council that this proposed annexation be moved forward to a future ballot before the citizens of Canby. Motion was seconded by Councilor Daniels.**

Councilor Henri moved to amend the motion wording to "exempt the defined DCP area from the requirements of Chapter 16.84 requiring a Development Concept Plan prior to approval by the City Council that this proposed annexation be moved forward to a future ballot before the citizens of Canby." Motion was seconded by Councilor Padden and the amendment passed 6-0.

The main motion as amended passed 6-0.

Canby Utility's Green Power Donation to the City of Canby Parks and Transit Mall – Matt Michel, Canby Utility General Manager, said Canby Utility offered a green power donation to the City every year since 2008. The donation was applied to the City's electric bill for parks and transit. The donation had been extended for 2011. He explained how green power was monitored and how there had been a consistent participation in the program.

Councilor Padden encouraged citizens to purchase green power.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Resolution 1081.
3. Adopted Ordinance 1340 on second reading.
4. Directed staff to establish a donation program and develop a policy and procedure for donations to the City of Canby and its entities.
5. Granted Hope Village an exception from the Development Concept Plan area requirement.

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



Kimberly Scheafer, CMC
City Recorder



Randy Carson
Mayor

Assisted with Preparation of Minutes - Susan Wood