

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
May 4, 2011**

**Presiding:** Mayor Randy Carson.

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

**Staff Present:** Greg Ellis, City Administrator; John Kelley, City Attorney; Penny Hummel, Library Director; Eric Laitinen, Swim Program Manager; and Kim Scheafer, City Recorder.

**Others Present:** Chris Storey, John Dewar, Irene Breshears, John Peterson, Tim Dale, Patricia House, Roger Skoe, Bob Cornelius, and Traci Hensley.

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

Poppy Days in Canby Proclamation - Mayor Carson read and presented Patricia House with a proclamation proclaiming May 22 through May 28 as Poppy Days in the City of Canby.

NALC Food Drive Day Proclamation - Mayor Carson read and presented John Peterson with a proclamation proclaiming May 14 as 2011 National Association of Letter Carriers National Food Drive Day. Mr. Peterson thanked the community for the great support. He asked for citizens to put the food in their mailbox on May 14 instead of on the ground.

Water Safety Month Proclamation - Mayor Carson read and presented Eric Laitinen with a proclamation proclaiming May as Water Safety Month. Mr. Laitinen listed the activities going on at the pool. The Swim Club would hold a triathlon at the pool on Saturday.

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Irene Breshears said the "Remember the Wounded Ride" event would be held on May 7 at 11 a.m. at the Canby Vietnam Era Memorial. Canby would be the first stop of the bike tour from Salem.

Patricia House, Chair of the Poppy Committee at the American Legion, passed out poppies to the Council.

**MAYOR'S BUSINESS:** Mayor Carson said the Council held a Special Meeting on May 3 and Traci Hensley had been appointed as a City Councilor.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Ares said the Rotary Club did a community service project at Eco Park to remove invasive ivy from the trees.

Councilor Padden said the Canby Lions Club would be having their annual plant sale this weekend.

Councilor Daniels attended the Historical Society Board Meeting where they discussed the steam boating program on the Willamette. Every third grader in Canby went on a tour at the Depot and the tours would be starting soon.

**CONSENT AGENDA: \*\*Councilor Daniels moved to adopt the minutes of the April 20, 2011 City Council Regular Meeting. Motion was seconded by Councilor Padden and passed 5-0.**

**RESOLUTIONS & ORDINANCES:** Resolution 1094 – Greg Ellis, City Administrator, said this would finance the new Police Department. This was a full faith and credit obligation of the City and there would be an IGA to accept money from the Urban Renewal District for the payment of this bond.

Councilor Ares said the Urban Renewal Agency had discussed Resolutions 1094 and 1095 at their meeting. The Agency would get a better interest rate on the bond through this agreement.

**\*\*Councilor Ares moved to adopt Resolution 1094, A RESOLUTION AUTHORIZING THE ISSUANCE AND NEGOTIATED SALE OF FULL FAITH AND CREDIT OBLIGATIONS IN AN AMOUNT NOT TO EXCEED \$9,000,000; DESIGNATING AN AUTHORIZED REPRESENTATIVE, SPECIAL COUNSEL AND UNDERWRITER; AUTHORIZING APPOINTMENT OF A FINANCIAL ADVISOR; AUTHORIZING EXECUTION AND DELIVERY OF A FINANCING AGREEMENT AND AN ESCROW AGREEMENT; AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT WITH THE CANBY URBAN RENEWAL AGENCY; AND RELATED MATTERS. Motion was seconded by Councilor Daniels and passed 5-0.**

Resolution 1095 – **\*\*Councilor Daniels moved to adopt Resolution 1095, A RESOLUTION OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CANBY URBAN RENEWAL AGENCY REGARDING THE TRANSFER OF TAX INCREMENT REVENUES AND PROCEEDS TO THE CITY FOR THE PURPOSE OF PAYING OBLIGATION BOND FINANCING. Motion was seconded by Councilor Hodson and passed 5-0.**

Resolution 1096 – Penny Hummel, Library Director, said after the Library District was approved by voters in 2008 the participating cities signed the IGA. Two areas of the County were not included in the original IGA, Damascus and Tualatin. The first amendment to the IGA would make it possible for the portion of Tualatin in Clackamas County to join the District.

**\*\*Councilor Padden moved to adopt Resolution 1096, A RESOLUTION ADOPTING AMENDMENT NO. 1 TO THE COOPERATIVE INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF CANBY (CITY), THE LIBRARY DISTRICT OF CLACKAMAS COUNTY AND OTHER LIBRARY CITIES FOR THE PURPOSE OF SUPPORTING AND PROVIDING LIBRARY SERVICES TO THEIR RESIDENTS. Motion was seconded by Councilor Ares and passed 5-0.**

Resolution 1097 – Ms. Hummel said the second amendment was for inclusion of Damascus into the District.

Chris Storie, County Counsel, explained how Damascus would not be a library city, but would be served by a County library.

**\*\*Councilor Padden moved to adopt Resolution 1097, A RESOLUTION ADOPTING AN AMENDMENT NO. 2 TO THE COOPERATIVE INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF CANBY (CITY), THE LIBRARY DISTRICT OF CLACKAMAS COUNTY AND OTHER LIBRARY CITIES FOR THE PURPOSE OF SUPPORTING AND PROVIDING LIBRARY SERVICES TO THEIR RESIDENTS. Motion was seconded by Councilor Daniels and passed 5-0.**

Resolution 1098 – John Kelley, City Attorney, said the City was in the process of negotiating the extension of the current cable TV franchise agreement between Wave and the City. The agreement would expire on May 7, 2011. This was a request for a 30-day extension to the agreement.

Councilor Ares thought they should tell Wave that the City would not look favorably to another extension. There was Council consensus to forward that message to Wave.

**\*\*Councilor Ares moved to adopt Resolution 1098, A RESOLUTION APPROVING AN EXTENSION OF THE CABLE FRANCHISE AGREEMENT WITH WAVE DIVISION VII, LLC. Motion was seconded by Councilor Daniels and passed 5-0.**

Ordinance 1342 – Mr. Kelley said there had been negotiations to renew Canby Telephone's franchise agreement for telephone service. A conclusion had been reached for a five-year non-exclusive franchise agreement.

**\*\*Councilor Daniels moved to approve Ordinance 1342, AN ORDINANCE GRANTING A NONEXCLUSIVE FRANCHISE TO CANBY TELEPHONE ASSOCIATION TO PROVIDE TELECOMMUNICATION SERVICES WITHIN THE CITY OF CANBY, ESTABLISHING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY to come up for second reading on May 18, 2011. Motion was seconded by Councilor Padden and passed 5-0.**

**NEW BUSINESS:** Mayor Carson said the Mayor's Breakfast would be held on May 5 at Cutsforth's Old Town Hall.

Councilor Daniels stated the Planning and Building Department was now called the Developmental Services Building and was located at the corner of Ivy and 2<sup>nd</sup> Avenue.

Mr. Ellis explained the meeting he had on April 25 with Wilderness International.

Councilor Daniels asked if the Parks Department could spray the poison oak at Eco Park.

Councilor Ares said if you stayed on the trails, you were safe. If you got off the trails, you were at risk.

Councilor Padden asked what the status was regarding the peeling paint on the Logging Road Bridge. Mr. Ellis would look into the issue.

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

**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Adopted Resolution 1094.
3. Adopted Resolution 1095.
4. Adopted Resolution 1096.
5. Adopted Resolution 1097.
6. Adopted Resolution 1098.
7. Approved Ordinance 1342 to come up for second reading on May 18, 2011.

There was no Executive Session.

Mayor Carson adjourned the Regular Meeting at 8:20 p.m.



Kimberly Scheafer, CMC  
City Recorder



Randy Carson  
Mayor

Assisted with Preparation of Minutes - Susan Wood