

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
June 2, 2010**

**Presiding:** Walt Daniels, Council President. Mayor Melody Thompson was absent.

**Council Present:** Richard Ares, John Henri, Robert Bitter and Brian Hodson. Councilor Jason Padden was absent.

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

**Others Present:** Bob Cornelius.

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

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** None.

**MAYOR'S BUSINESS:** None.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Council President Daniels said 225 3<sup>rd</sup> grade students had visited the Depot Museum.

Councilor Bitter attended the Canby Utility Board and water rate hearing last week. A lot of citizen input had been received and it was done in a very constructive way. After deliberating, the Utility Board passed the rate increase. It was a prudent way of preparing for the future and was structured to make people more aware of their usage during the summer months.

Councilor Hodson said he also attended the hearing. He had been discussing the process with Bob Cornelius and agreed there was a need for the rate increase. He reported on the Southeast Homeowners Association meeting, a Clackamas County Commissioner's meeting, and Clackamas Cities Association Dinner he attended.

**CONSENT AGENDA:** **\*\*Councilor Bitter moved to approve the reappointment of JillMarie Wiles to the Parks and Recreation Advisory Board for a term to end on June 30, 2013. Motion was seconded by Councilor Henri and passed 5-0.**

**PUBLIC HEARING:** 2009-2010 Supplemental Budget –

Council President Daniels opened the public hearing at 7:38 p.m.

Greg Ellis, City Administrator, said money needed to be moved out of Contingency and into the Cemetery fund to cover commissions for marketing cemetery sites. The personal services line items were underestimated at the beginning of the year. These were routine actions so the budget would be balanced.

Public Comments: None

Council President Daniels closed the public hearing at 7:43 p.m.

**RESOLUTIONS & ORDINANCES:** Resolution 1062 – **\*\*Councilor Ares moved to adopt Resolution 1062, A RESOLUTION ADOPTING A SUPPLEMENTAL BUDGET FOR THE 2009-2010 FISCAL YEAR amended to reflect the \$2,000 change in Contingency. Motion was seconded by Councilor Henri and passed 5-0.**

Ordinance 1328 – John Kelley, City Attorney, said the City had been receiving garbage service for the past 25 years from Canby Disposal. The new franchise agreement changed the payment procedure. In the past, the City received \$1.00 per customer. With the new agreement, the City would receive 3% of the gross. This would increase to 5% on July 1, 2011. The term also increased from a five year rolling to a ten year rolling. Most of the language came from an agreement that the hauler had with the cities of Sandy and West Linn.

Councilor Ares said this was consistent with the rest of the franchise agreements the City had.

Councilor Hodson thought they should have included the bonding issue regarding the waste removal. He asked about a rate increase.

Mr. Kelley said it was the current rate that was approved two years ago. The next rate increase would not be before July 1, 2011.

**\*\*Councilor Ares moved to approve Ordinance 1328, AN ORDINANCE GRANTING AN EXCLUSIVE FRANCHISE TO CANBY DISPOSAL COMPANY TO PROVIDE SOLID WASTE, RECYCLABLE MATERIALS AND YARD DEBRIS COLLECTION SERVICE WITHIN THE CITY OF CANBY; AND DECLARING AN EMERGENCY to come up for second reading on June 16, 2010. Motion was seconded by Councilor Bitter and passed 5-0 on first reading.**

Ordinance 1329 – **\*\*Councilor Bitter moved to approve Ordinance 1329, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE SECTION 16.06.030 REGARDING APPOINTMENT OF PLANNING COMMISSION MEMBERS to come up for second reading on June 16, 2010. Motion was seconded by Councilor Hodson and passed 5-0 on first reading.**

**NEW BUSINESS:** Mr. Ellis said staff was requesting the Council President sign a letter to ODOT in which the City was asking to designate sections of Highway 99E as a Special Transportation Area. It gave the City more authority on the State highway.

Councilor Henri thought this was a good idea with redeveloping downtown and Highway 99E and proposed changes to the Transportation System Plan.

**\*\*Councilor Henri authorized the Council President to sign a letter to ODOT regarding the Special Transportation Area along Highway 99E. Motion was seconded by Councilor Hodson and passed 5-0.**

Councilor Hodson asked about the series of open houses regarding a high-speed rail corridor and the impacts to Canby.

Councilor Ares said it was his understanding that ODOT was looking at the corridor to be on the west side of I-5 and not on Highway 99E. They were trying to get passenger trains off the freight lines.

Councilor Hodson asked about the Sellwood Bridge Vehicle Registration Fee.

Councilor Ares said the Clackamas County Commissioner, Bob Austin and Cam Gilmour had done a presentation at the last City Council Meeting. The County Commissioners had the ability to impose the tax. The legislature had given them the ability to do so at the last legislative session. There would be more public meetings regarding this topic.

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Mr. Ellis said several staff members were having family issues and to keep them in their thoughts.

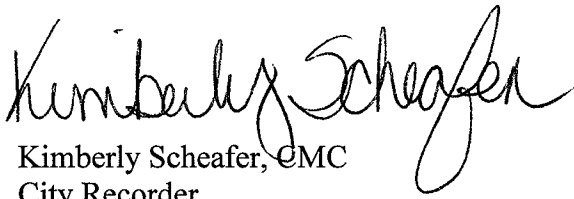
**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Adopted Resolution 1062.
3. Approved Ordinance 1328 to come up for second reading on June 16, 2010.
4. Approved Ordinance 1329 to come up for second reading on June 16, 2010.

Councilor Hodson thanked Mr. Ellis for the minutes of the Management Team meeting.

Council President Daniels adjourned the Regular Meeting at 8:04 p.m.

  
Kimberly Scheafer, CMC  
City Recorder

  
Walt Daniels  
Council President

Assisted with Preparation of Minutes - Susan Wood