

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
November 17, 2010**

Presiding: Mayor Melody Thompson.

Council Present: Rich Ares, Jason Padden, Walt Daniels, Robert Bitter, and Brian Hodson. Councilor John Henri was absent.

Staff Present: Greg Ellis, City Administrator; John Kelley, City Attorney; Bryan Brown, Planning Director; Matilda Deas, Project Planner; and Kim Scheafer, City Recorder.

Others Present: Janie Malloy, Bob Cornelius, Lila & Curtis Gottman, Mike & Donna Greene, Bev Doolittle, Randy Carson, and Ryan Oliver.

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

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Lila Gottman, General Canby Day Chair, said that General Canby Day had been held at Wait Park since 1982. There was no citizen or visitor interest in moving the event from Wait Park as it was Canby's signature park.

Janie Malloy, representative of Canby Area Parks and Recreation District (CAPRD), announced the Civil War Splash on Friday, December 3. It was a fundraiser for the Canby Swim Team as well as awareness that the District was seeking funds to save the pool since the levy expired in 2012.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Ares attended the Adult Center Board Meeting where maintenance projects that had taken place were discussed. He also attended the Canby Parks and Recreation Advisory Board meeting. They had discussed CAPRD going out for a levy in May for operation of the pool and Wait Park issues.

Councilor Daniels said the Transit Advisory Committee would be meeting in December. He reported on the Historical Society's annual meeting.

Councilor Bitter gave highlights from the last Canby Utility Board meeting. Effective November 19, he would be resigning from the Council.

Councilor Hodson thanked Councilor Bitter for his leadership. Councilor Hodson attended a townhall meeting with School Superintendent Jeff Rose. He also announced the details for Operation Snuggle and the Light the Night event.

CONSENT AGENDA: **Councilor Daniels moved to approve the minutes of the November 3, 2010 City Council Regular Meeting. Motion was seconded by Councilor Padden and passed 5-0.

RESOLUTIONS & ORDINANCES: Resolution 1080 – John Kelley, City Attorney, said there was still work being done on the agreement. The resolution was necessary to authorize the property to be purchased by the Urban Renewal Agency for the City.

Mayor Thompson said the work would be done with Urban Renewal funds to create a pedestrian and business friendly streetscape. This had been in process for a long time.

Commissioner Ares said this property was the cornerstone for redevelopment downtown.

****Councilor Bitter moved to adopt Resolution 1080, A RESOLUTION AUTHORIZING THE CANBY URBAN RENEWAL AGENCY BOARD TO PURCHASE REAL PROPERTY KNOWN AS THE UNION PACIFIC RAILROAD PROPERTY (PROPERTY) LOCATED SOUTH OF NW FIRST AVENUE BETWEEN N. IVY STREET AND N. ELM STREET AND BISECTED BY N. GRANT STREET IN CANBY, OREGON. Motion was seconded by Councilor Hodson and passed 5-0.**

NEW BUSINESS: Wait Park Event Impacts – Matilda Deas, Project Planner, explained a survey that was done in 2009 in response to citizen requests about noise at Wait Park. Another survey had been done in 2010 and most of the issues were in regard to parking during the events. Most had their issues addressed through the event organizers. There was one business issue that was unresolved and that was being worked on. For residents, the common response was the benefits of the event outweighed the inconveniences. They said it was difficult remembering when the events would take place to plan for parking in advance. There were three complaints regarding noise, and in particular noise from the Health Fair.

There was discussion regarding the coordination of when streets were closed and how it was different for each event.

It was the Council's understanding that future events would be coordinated by the Main Street Manager.

Mayor Thompson said there should also be a contact number citizens could call for complaints during the event.

Ms. Deas said the Parks and Recreation Advisory Board was going to use a decibel meter to test the amount of noise that events were producing.

Ryan Oliver, Chair of the Parks and Recreation Advisory Board, said the Board's recommendation was there was no need to change the noise ordinance. To help the situation, there should be more communication with the neighbors for when events were happening, such as a sign with monthly events listed.

Janie Malloy, Canby resident, had brought her issues to former Parks Director Beth Saul in July 2008. Parking was not really an issue to her, but amplification was. She was the closest owner occupied home to the park and in the direct path of the amplification. She brought a CD of two events to show the loudness in her home. She discussed the City of Portland's Title 18 ordinance which stated in order to amplify music in a park, the event would have to have a variance and get neighborhood approval. She was in support of the events, but was seeking consistency for the

loudness of events. Most cities and the State had regulations for the distance the music could be heard instead of decibels. Ms. Gottman had a system that seemed to work. Ms. Malloy was pro-event, but did not want the events happening inside her house.

Mike Green, Canby resident, said his issue was the amplification of the Health Fair. Measures were being taken to deal with it. He was not notified of the event, but would like to be notified in the future.

Mr. Kelley said due to the prohibitive cost of a decibel reader and training for Code Enforcement, the noise ordinance was difficult to enforce.

The Council did not think it was necessary to purchase a decibel reader. They thought the event organizers wanted to be good neighbors and should be self policing.

There was discussion about putting in the application that sound should not travel a certain amount of feet from the park. There was also discussion regarding having a later time than 8:30 a.m. for amplified voices and music to begin.

Kim Scheafer, City Recorder, said on the Wait Park reservation form there was a courtesy agreement that had to be signed that said they would be a good neighbor and were aware that it was a residential area and to be sensitive of the noise. There was also a list on the website of all the events in the City throughout the year.

There was Council consensus to review the time amplification was allowed to start, looking at a possible later time. There was Council consensus to have a good neighbor conversation with event organizers and to establish common sense parameters.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Greg Ellis, City Administrator, said he would be attending the Positive Aurora Area Meeting regarding the Aurora Airport. Public Works Director candidates would be interviewed in the next couple of weeks and they had advertised for an Economic Development Director. He discussed the possible County Vehicle Registration Fee. They were still in the information gathering phase.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Resolution 1080.
3. Staff will implement the Council's recommendations regarding Wait Park noise issues.

****Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(h) Pending Litigation, ORS 192.660(2)(i) Performance Evaluation of a Public Officer, and ORS 192.660(3) Labor Negotiations. Motion was seconded by Councilor Bitter and passed 5-0.**


Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 9:06 p.m.

Mayor Thompson reconvened the Regular Meeting at 10:00 p.m.

****Councilor Daniels moved to approve a \$5,000 salary increase/merit for the City Administrator retroactive to his six-month anniversary date. Motion was seconded by Councilor Padden and passed 5-0.**

Mayor Thompson adjourned the Regular Meeting at 10:05 p.m.


Kimberly Scheafer, CMC
City Recorder


Melody Thompson
Mayor

Assisted with Preparation of Minutes - Susan Wood