

**CANBY CITY COUNCIL  
WORK SESSION MINUTES  
April 1, 2009**

**Presiding:** Mayor Melody Thompson.

**Council Present:** John Henri, Walt Daniels, Robert Bitter, and Tony Helbling. Councilors Wayne Oliver and Jason Padden were absent.

**Staff Present:** Mark Adcock, City Administrator; John Kelley, City Attorney; and Kim Scheafer, City Recorder Pro-Tem.

**Others Present:** None.

Mayor Thompson called the Work Session to order at 6:30 p.m. in the City Hall Conference Room. The Council met to receive information regarding social gaming.

John Kelley, City Attorney, said the Council had received a request from Donald Smith who was in a cribbage club. The club had been playing at the American Legion but was told by the Legion they could not continue to play there until the City passed a social gaming ordinance.

Mr. Kelley reviewed ordinance language from several cities that had social gaming ordinances. The jurisdictions that had a gaming ordinance in the past but no longer had one said the reason was it was too difficult to enforce and too hard to police.

Council thought there was not a strong community desire for this and they should hold off until such time that there was.

Council consensus was to not go forward with a social gaming ordinance at this time.

Mayor Thompson adjourned the Work Session at 7:28 p.m.

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**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
April 1, 2009**

**Presiding:** Mayor Melody Thompson.

**Council Present:** John Henri, Walt Daniels, Robert Bitter, and Tony Helbling. Councilors Wayne Oliver and Jason Padden were absent.

**Staff Present:** John Kelley, City Attorney; Catherine Comer, Economic Development Manager; Dwayne Barnes, Public Works Director; Matilda Deas, Project Planner; and Kim Scheafer, City Recorder Pro-Tem.

**Others Present:** Robin Adcock, Bob Cornelius, Curt McLeod, and Randy Carson.

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

Kiwanis One Day Proclamation – Mayor Thompson read a proclamation proclaiming April 4, 2009 as Kiwanis One Day and presented it to Robin Adcock.

Ms. Adcock said that Kiwanis would be spreading barkdust at Arneson Gardens on April 4.

**COMMUNICATIONS:** None.

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

**MAYOR'S BUSINESS:** Mayor Thompson handed out an agenda to the Neighboring Cities meeting on April 9.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Henri said he had attended City Hall Day at the Capitol in Salem.

Councilor Bitter said he along with Councilor Henri and Mayor Thompson attended the Clackamas Cities Dinner in Molalla last week.

Councilor Helbling said the *Canby Herald* had a front page article about business development.

**CONSENT AGENDA:** **\*\*Councilor Daniels moved to approve the minutes of March 11, 2009 City Council Work Session and March 18, 2009 City Council Regular Meeting. Motion was seconded by Councilor Henri and passed 4-0.**

Mayor Thompson said Councilors Oliver and Padden were unable to attend the meeting that night.

**RESOLUTIONS & ORDINANCES:** John Kelley, City Attorney, said given the dollar amount involved, he along with the Urban Renewal Agency legal counsel, decided to bring this matter before them to authorize the Urban Renewal Agency to enter into the contract.

Resolution 1022 – **\*\*Councilor Helbling moved to adopt Resolution 1022, A RESOLUTION AUTHORIZING THE CANBY URBAN RENEWAL AGENCY BOARD TO PUBLICLY BID, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE REDEVELOPMENT OF NE 2<sup>ND</sup> AVENUE FROM ITS INTERSECTION WITH N. IVY STREET, EAST APPROXIMATELY 750 FEET, AND INCLUDING PUBLIC PARKING LOT IMPROVEMENTS ENTITLED “NE 2ND AVENUE RECONSTRUCTION AND PARKING LOT IMPROVEMENTS PROJECT” LOCATED IN THE CITY OF CANBY, OREGON. Motion was seconded by Councilor Bitter and passed 4-0.**

Ordinance 1305 – Mr. Kelley said the bid opening was held on March 31, 2009. Northwest Earthmovers, Inc. had the lowest bid of \$877,750.00.

Curt McLeod, City Engineer, said that Northwest Earthmovers, Inc. had done a lot of work in Wilsonville. The estimate was about \$300,000 higher than the actual bids. The actual award of the contract would be \$874,491 because they were adding striping of the parking lot. They

anticipated two additional contracts for the electrical work and the landscaping. They also earmarked a 10% contingency on each contract. They were using money from Urban Renewal and \$246,000 from Street Reserves. The total cost for the project would be 1.136 million dollars. The memorial for Alice Kloe would be included in this as well. Mr. McLeod explained the scope of work that would be done and the timeline.

Dwayne Barnes said it would be a very green project. They would be testing LED street lights.

Catherine Comer, Economic Development Manager, said that Canby Rotary had ordered a street clock to be placed on 2<sup>nd</sup> Avenue. They were also working on medallions as a center point on the end of 2<sup>nd</sup> Avenue.

**\*\*Councilor Helbling moved to approve Ordinance 1305, AN ORDINANCE AUTHORIZING THE CANBY URBAN RENEWAL AGENCY TO EXECUTE A CONTRACT WITH NORTHWEST EARTHMOVERS, INC. FOR NE 2<sup>ND</sup> AVENUE RECONSTRUCTION AND PARKING LOT IMPROVEMENTS; AND AUTHORIZING THE CITY TO REIMBURSE THE URBAN RENEWAL AGENCY FOR A PORTION OF THE PROJECT COSTS FOR PUBLIC STREET IMPROVEMENTS ON SE 2<sup>ND</sup> AVENUE; AND DECLARING AN EMERGENCY to come up for second reading on April 15, 2009. Motion was seconded by Councilor Daniels and passed 4-0 on first reading.**

**NEW BUSINESS:** Awarding of Community Improvement Mini-Grants – Kim Scheafer, City Recorder Pro-Tem, said that six applications had been received from four different agencies. Three Thousand dollars had been budgeted and the total amount of the applications was \$4,750.00. Council discussed the applications.

**\*\*Councilor Helbling moved to approve a mini-grant of \$1,000.00 to the Canby Historical Society for the acquisition of photo equipment and interactive wheel grinder, \$1,000.00 to Canby Junior Baseball, and \$1,000.00 to the Canby Vietnam Era Memorial Committee. Motion was seconded by Councilor Henri and passed 4-0.**

Council consensus was to change the mini-grant application process to be awarded once instead of twice a year. The next deadline would be October 15, 2009.

Discussion Regarding Measures 3-336 and 3-337 – Mr. Kelley reviewed Measure 3-336 and 3-337, charter amendments on the May ballot. Council added their input on the issues.

Urban and Rural Reserves PAC – Mayor Thompson said the Council signed a letter articulating a boundary for urban reserves. She explained the different committees that were working on this process.

Councilor Henri said whoever goes to the PAC should represent the Council and that the Council was representing Canby.

Randy Carson gave a background on what the Urban Reserve PAC was. He explained what the committee had been discussing and how they came up with the numbers and boundaries. They would make the determination in the next two months what areas they would leave urban for future City development and what would be rural areas that they would not touch for 50 years. He thought this was a good indicator so people would know how to plan for their property. A

representative needed to attend all the meetings to make sure their candidate area was left undesignated.

Councilor Helbling thought a City Councilor should be at the table with Mr. Carson as an advisor because as elected officials it was their responsibility to go.

Council would decide at a later date who would be the representative.

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Update on Logging Road Paving – Dwayne Barnes reviewed the costs to pave the rest of the logging road trail and provide a pedestrian crossing at Territorial Road. There would also be in ground and pedestrian lights. This would be done in the summer.

Councilor Henri said he would rather get a pedestrian crossing and sidewalk in rather than paving all the way down right now.

Mr. Barnes said he could get a cost estimate for that. The money would come from the Park Development Fund.

**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Adopted Resolution 1022.
3. Approved Ordinance 1305 to come up for second reading on April 15, 2009.
4. Awarding of \$1,000.00 mini-grants to Canby Historical Society, Vietnam Memorial Committee, and Canby Junior Baseball.
5. Council would decide who would be the representative for the Urban Reserve PAC at their next meeting.

**\*\*Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(e) Real Property. Motion was seconded by Councilor Helbling and passed 4-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 9:12 p.m.

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



Kimberly Scheafer, CMC  
City Recorder Pro-Tem



Melody Thompson  
Mayor

Assisted with Preparation of Minutes – Susan Wood