

**CANBY CITY COUNCIL  
WORK SESSION MINUTES  
May 6, 2009**

**Presiding:** Mayor Melody Thompson.

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

**Staff Present:** Mark Adcock, City Administrator; Sue Engels, Finance Director; Dwayne Barnes, Public Works Director; Bryan Brown, Planning Director; and Kim Scheafer, City Recorder Pro-Tem.

**Others Present:** John Merina

Mayor Thompson called the Work Session to order at 6:30 p.m. in the City Hall Conference Room. The Council met to discuss the management letter from the auditor.

John Merina, Auditor, summarized the letter. There had been no restrictions on the scope of the audit. There were no new significant accounting policies adopted or changed from the prior year. They did have to make a number of material audit adjustments. They had to record some adjustments to recognize the value of land and improvements that were donated by developers. The capital asset infrastructure database needed to be imported from Excel into the Casselle Asset Manager because it had internal controls built into the program.

Mr. Merina said they had to make a number of audit adjustments for the preparation of the financial statements. Many of these problems and inconsistencies would not be repeated next year as the new finance director was getting training and many processes could be standardized.

The audit was not completed until after the statutory date due to extenuating circumstances. An extension of one month and then a subsequent additional two week extension had to be asked for from the State.

They also audited the Urban Renewal District, but found no problems with it.

Mayor Thompson adjourned the Work Session at 6:57 p.m.

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**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
May 6, 2009**

**Presiding:** Mayor Melody Thompson.

**Council Present:** Walt Daniels, John Henri, Jason Padden, Walt Daniels, and Robert Bitter. Councilor Tony Helbling was absent.

**Staff Present:** Mark Adcock, City Administrator; John Kelley, City Attorney; Bryan Brown, Planning Director; Dwayne Barnes, Public Works Director; Beth Saul, Special Projects Manager; and Kim Scheafer, City Recorder Pro-Tem.

**Others Present:** Marilyn Bradford, John Dewar, Randy & Sue Carson, Irene Breshears, and John Peterson.

**CALL TO ORDER:** Mayor Thompson called the Regular Meeting to order at 7:38 p.m. followed by the opening ceremonies.

Mayor Thompson said they had a work session prior to the Council Meeting to discuss their annual audit and everything had gone fine.

Poppy Days in Canby Proclamation – Mayor Thompson presented Marilyn Bradford with a proclamation proclaiming the month of May 2009 as Poppy Month and the week of May 24 through May 30, 2009 as Poppy Days in the City of Canby.

National Association of Letter Carriers National Food Drive Day Proclamation – Mayor Thompson presented John Dewar with a proclamation proclaiming May 9, 2009 as National Association of Letter Carriers National Food Drive Day.

Mr. Dewar said since October 2008 through February 2009 the need had gone up 37%.

Irene Breshears said that the six elementary schools were also participating in the food drive.

Introduction of New Planning Director – Mark Adcock, City Administrator, introduced Bryan Brown as the new Planning Director.

Mr. Brown said Canby was a very homey town. He was looking forward to getting to know people, the Council, and the issues. He was surprised at the number of significant planning projects that were being undertaken.

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Sue Carson, President of Canby Historical Society, said the Historical Society would be cleaning up Baker Prairie Cemetery on May 16 at 10 a.m. The focus of the clean up day was the headstones. They had strict guidelines that would be used in the cleaning. On May 23 at 2 p.m. there would be a graveside service for Bertha Lee at the Cemetery. At a very young age she had been hospitalized where she stayed until her death at the age of 38. Her ashes had been recently discovered. She would be laid to rest next to her family.

Irene Breshears said that the First Annual Oregon Military Family Appreciation Day Celebration would be held on May 8, 2009 from 6-8 p.m. at the Clackamas County Fairgrounds in the 4H Building.

**MAYOR'S BUSINESS:** Mayor Thompson said Councilor Bitter met with the City Administrator and HR Director on how to engage citizens in the police chief recruitment. They thought a citizen advisory search committee should be used. The roles of the committee

members and selection process were reviewed. Letters from interested individuals needed to be sent to the HR Director by May 22.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Henri said he attended the urban and rural reserve PAC last week. The topic was rural reserves and there was discussion about whether the urban growth boundary was defined as Metro's Urban Growth Boundary, or other cities' urban growth boundaries. Metro generated a document that had preliminary ranking of four communities, one was Canby, that had requested a change to the map. It would be further discussed at the next meeting on May 28.

Mayor Thompson said she talked with Commissioner Lehan, Clackamas County's representative, and she said they were leaving it on the map for discussion purposes. She thought they would be able to preserve that area.

Councilor Daniels said the Historical Society would be having a book about the Lee family available soon. They would be having a demonstration on May 19 on steam engines. The cemeteries were being inventoried and would soon have that information on their website. He discussed how they used the City grant money. This month was the annual visit from third graders to the museum.

Councilor Bitter said the Canby Farmers Market would be starting this Saturday.

Councilor Padden said the Canby Lions Club would be having their plant sale on Saturday at the railroad parking lot.

**CONSENT AGENDA: \*\*Councilor Daniels moved to approve the minutes of the April 7, 2009 City Council Work Session and minutes of the April 15, 2009 City Council Regular Meeting. Motion was seconded by Councilor Henri and passed 5-0.**

Mayor Thompson said that Councilor Helbling was out of town on business.

**RESOLUTIONS & ORDINANCES: Ordinance 1306 – \*\*Councilor Padden moved to approve Ordinance 1306, AN ORDINANCE AUTHORIZING REIMBURSEMENT OF FUNDS NOT TO EXCEED \$23,060.00 FROM THE PARK DEVELOPMENT FUND TO CANBY UTILITY FOR SYSTEM DEVELOPMENT CHARGES FOR WATER SERVICE EXTENDED TO NORTHWOODS PARK PHASE I to come up for second reading on May 20, 2009. Motion was seconded by Councilor Bitter and passed 5-0 on first reading.**

Ordinance 1308 – John Kelley, City Attorney, said Ordinance 1308 would reimburse the investigators for the work they did regarding the investigation of the Police Chief.

**\*\*Councilor Daniels moved to approve Ordinance 1308, AN ORDINANCE AUTHORIZING PAYMENT OF PERSONAL SERVICE CONTRACTS WITH DAN KELLY INVESTIGATIONS LLC OF BEAVERTON, OREGON AND ALAN CORSON & ASSOCIATES OF TUALATIN, OREGON FOR ADMINISTRATIVE PERSONNEL INVESTIGATION SERVICES PROVIDED TO THE CITY OF CANBY; AND DECLARING AN EMERGENCY to come up for second reading on May 20, 2009. Motion was seconded by Councilor Henri and passed 5-0 on first reading.**

Ordinance 1309 – Mark Adcock, City Administrator, said this was for the second lift of asphalt and funding was provided from the performance bond signed to the original developer so there would be no fiscal impact by doing this.

Mr. Kelley said the developer had been experiencing financial issues and was trying to do the job himself which continued to delay the project. He finally folded and the City went against the bond and the bond company paid it.

Dwayne Barnes, Public Works Director, said there were other things that were not completed, and they were going to try to complete as many as they could up to the \$110,000 bond amount. Most of it was landscaping requirements, but it would not be enough to cover everything because costs had gone up in the time it had taken to go through the claims process.

**\*\*Councilor Daniels moved to approve Ordinance 1309, AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH EAGLE-ELSNER, INC. FOR THE DARCY ESTATES ASPHALTIC CONCRETE PAVING; AND DECLARING AN EMERGENCY to come up for second reading on May 20, 2009. Motion was seconded by Councilor Henri and passed 5-0 on first reading.**

**NEW BUSINESS:** None.

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Status Report on Implementation of County Library District – Beth Saul, Special Projects Manager, said there would be two IGA's with the County. The first would be between each city and the newly formed Library District. The second would be with each city and Clackamas County to govern the relationship of providing the money for capital improvements and the centralized library services that made the system work.

Mayor Thompson asked if the improvement plan should be revised to show how they would use the money.

Mr. Adcock said the money was scheduled to be received in 2011, but it would be in the next fiscal year budget to show they were ready to receive it.

Ms. Saul said the way Canby provided services would not change, and they would be able to restore services they had not been able to fund in the past. July was Parks and Recreation Month and that would be a good month to have a grand opening for Legacy Park.

**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Approved Ordinance 1306, to come up for second reading on May 20, 2009.
3. Approved Ordinance 1308, to come up for second reading on May 20, 2009.
4. Approved Ordinance 1309, to come up for second reading on May 20, 2009.

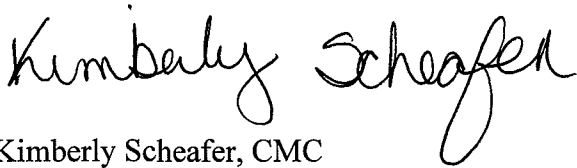
**\*\*Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(d) Labor Negotiations. Motion was seconded by Councilor Oliver and passed 5-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 8:41 p.m.

Mayor Thompson reconvened the Regular Meeting at 9:35 p.m.

The Council had a discussion regarding when the need to hold a special meeting might arise and how they wanted to remain transparent to the public in their decision making.

Mayor Thompson adjourned the Regular Meeting at 9:43 p.m.



Kimberly Scheafer, CMC  
City Recorder Pro-Tem



Melody Thompson  
Mayor

Assisted with Preparation of Minutes – Susan Wood