

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
October 21, 2009**

Presiding: Mayor Melody Thompson.

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

Staff Present: John Kelley, City Attorney; Amanda Klock, Human Resources Director; Jeff Crowther, Public Works Supervisor; Bryan Brown, Planning Director; Rodney Grafe, Municipal Court Judge; Matilda Deas, Project Planner; Catherine Comer, Economic Development Manager; Penny Hummel, Library Director; and Kim Scheafer, City Recorder.

Others Present: Richard Oathes, Susan Myers, Ted Creedon, Frances Parker, Terry Prince, Bev Doolittle, Linda Benjamin, Karen Martini, Barbara Sue McCambridge, Duane Kloser, Jesse Villarreal, Frank & Dorothy Barich, Edward Schwan, Stuart Hunt, Dave Tibbetts, Fritz Hostetler, Laura & Mike Schmader, Dick Madsen, Bob Cassidy, Meg Hedson, Bill Patton, Paul Montecucco, Peggy Savage, Jason Montecucco, Jerry Simnitt, JoEllen Reif, Jerry Simnitt, Jr., Steve Montecucco, Linda Shields, Melinda Montecucco, Marilyn Montecucco, Joanna Rood and Father John Waldron.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:34 p.m. followed by the opening ceremonies.

Swearing In of New City Councilor – Rodney Grafe, Municipal Court Judge, swore in Brian Hodson as a City Councilor.

State of the College Presentation – Richard Oathes from the Clackamas Community College Board of Education discussed the campuses that served the district and explained the top goals of the college.

Karen Martini, Clackamas Community College Foundation Executive Director, spoke about how much financial aid they offered to students. The CCC Foundation worked with citizens, businesses, organizations, and foundations encouraging them to provide additional private dollars to support students and enhance the quality of their programs. They had also increased their services to veterans and military families.

Mr. Oathes said they played an important role in helping Oregonians get back to work. He explained how they had used the stimulus money and Ms. Martini explained what improvements were made by the bond dollars. November 18 they would have a ribbon cutting grand opening for a new Veterans Center.

Mr. Oathes discussed what the college was doing for Canby regarding enrollment and scholarships, use of their small business development center, and a donation to Canby High School's Applied Technology Center.

Barbara Sue McCambridge was a Canby resident and spoke about her involvement in student government at Clackamas Community. She wanted to come back and teach at Canby High School.

Mr. Oathes said over the next year they would be developing a strategic growth plan and he welcomed feedback.

Undesignation of North Canby Rural Area – Mayor Thompson explained the City's work on rural reserves and she had been contacted by Susan Myers regarding this issue.

Susan Meyers, Canby resident, said an erroneous assumption had been made at the last Council meeting regarding the landowners to the north objecting to the growth of Canby. She had a letter dated October 17 with signatures and tax lots of those requesting the area be undesignated and stated clearly they would not object to this designation and long term growth in Canby going into this area. Ms. Myers explained why the undesignation was necessary for Canby's future growth and discussed Senate Bill 1011 and why this area did not meet the requirements for a rural reserve. By identifying the land as undesignated it would allow Canby to grow to the northwest in a natural, efficient, and sustainable manner. She discussed the north versus the east for future growth. A letter was entered in the record from the Farm Bureau which agreed this area should not be rural reserve.

Ted Creedon of Lake Oswego said his wife and her two sisters owned 50 acres along Maple Street that was subdivided. There were 84 residential lots that were platted in 1891 which had water and sewer stub outs. They had a good planning process and he did not think they should be rushed by the County. There were access issues with some properties to the east and there were tax consequences of turning property into a rural reserve. He thought they should use the process already in place and do their own thing.

Bryan Brown, Planning Director, said there had been votes taken by the policy advisory committee, set up by Clackamas County, to make the area rural reserves. There were also votes taken by the Clackamas County Board of Commissioners to make this area to the north rural reserves. They did leave it open to the City to fine tune where that area would be. The formal process for public input was over. There would still be a long process with forming intergovernmental agreements, but those agreements would be between Metro and the counties, not with the cities. This was a County designation and they were supposed to notify the interested parties. He thought it was logical to grow more residentially to the north and commercially and industrially to the east. They needed to capture the concept and have justification for needing that much land for growth.

Matilda Deas, Project Planner, explained the issues the County had about the northwest and the ability for it to develop. Since they had already requested land, it would be difficult for them to say they needed more. The County did not like the numbers they had presented. They could argue for 1,900 acres and the numbers would support that. They had already requested 1,800 acres to the east.

Councilor Ares said if it came to a trade, he would suggest adding in the north and giving up some of the east. There was discussion about this suggestion.

Council consensus was to add the 560 acres plus 126 acres to the north and reduce the land designated to the east. Mr. Brown would communicate this decision to Clackamas County staff.

Mayor Thompson recessed the meeting at 9:00 p.m. and reconvened at 9:05 p.m.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Frances Parker, representing St. Patrick's Catholic Church, said there had been an issue with a sign approval for the church. She explained what had occurred.

John Kelley, City Attorney, said sign approvals were land use decisions and an appeal would need to go to the Planning Commission. If the appellant was not satisfied with the Commission's decision, it then came to the Council.

Father John Waldron said the reality was that the City's own mistake created their problem. They did not get the information so they could follow the policy. He said he would like an apology.

There was discussion about the appeal process. Staff would explain the mistake and make apology in the appeal letter.

Ms. Parker expressed her disappointment in the process. They wanted to begin the appeal.

Catherine Comer, Economic Development Manager, invited the Council to the public street and parking lot dedication and ribbon cutting for the cinema on October 30 at 5:30 p.m.

Linda Benjamin, Canby Cinema 8 General Manager, had hired 19 staff. The second Saturday of every month would be a sensory Saturday, which would be open to autistic children. She explained the other amenities of the theater.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Daniels said he helped in a tree planting ceremony by the cinema with first graders from Knight School.

Councilor Bitter said the Council had a Work Session with the Canby Utility Board to discuss economic development. The Police Chief Advisory Committee met for its final session and they selected six final candidates and their names would be publicized soon.

CONSENT AGENDA: ****Councilor Daniels moved to approve the minutes of the October 7, 2009 Regular Meeting and a Quitclaim Deed to Canby Utility. Motion was seconded by Councilor Bitter and passed 5-0.**

RESOLUTIONS & ORDINANCES: Resolution 1048 – ****Councilor Ares moved to adopt Resolution 1048, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANBY SUPPORTING THE CLACKAMAS COMMUNITY COVENANT PROGRAM. Motion was seconded by Councilor Padden and passed 5-0.**

Ordinance 1320 – ****Councilor Daniels moved to approve Ordinance 1320, AN ORDINANCE AUTHORIZING THE MAYOR AND INTERIM CITY**

ADMINISTRATOR TO EXECUTE A CONTRACT WITH CANBY EXCAVATING, INC. FOR THE KNIGHTS BRIDGE ROAD SANITARY SEWER PUMP STATION RECONSTRUCTION; AND DECLARING AN EMERGENCY to come up for second reading on November 4, 2009. **Motion was seconded by Councilor Ares and passed 5-0 on first reading.**

NEW BUSINESS: Adoption of City Administrator Position Profile – Amanda Klock, Human Resources Director, said the Council had received a draft of the City Administrator Position Profile along with the job description. There was one typo that would be corrected.

****Councilor Daniels moved to adopt the City Administrator Position Profile prepared by the League of Oregon Cities as corrected. Motion was seconded by Councilor Hodson and passed 5-0.**

Discussion Regarding Committee Liaison Assignments – This item was moved to the November 4 City Council Meeting.

Tualatin Annexation Proposal to the Library District – Penny Hummel, Library Director, said this was a request for an endorsement of the City of Tualatin's annexation proposal to the Library District of Clackamas County. This would expand the library network to include those residents that were in Tualatin but were actually in Clackamas County. The annexation measure would be on the ballot in 2010. She discussed how the revenues would be distributed.

Joanna Rood, Manager of the Library Information Network of Clackamas County, said this was an opportunity to give these residents a tangible benefit for being in the County.

****Councilor Padden moved to support the Tualatin annexation proposal to the Clackamas County Library District. Motion was seconded by Councilor Hodson and passed 5-0.**

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

CITIZEN INPUT: None.

Councilor Ares said that customer service was the most important thing the City did. He hoped a new City Administrator would convey that.

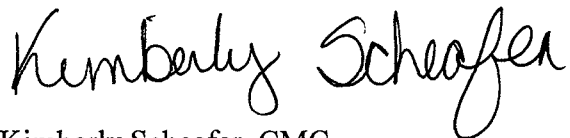
ACTION REVIEW:

1. Approved the Consent Agenda.
2. Directed staff to add acreage to the north of Canby and remove acreage to the east of approximately the same amount regarding the designation of rural reserves.
3. Adopted Resolution 1048.
4. Approved Ordinance 1320 to come up for second reading on November 4, 2009.
5. Adopted City Administrator Profile and job description.
6. Supported the Tualatin Annexation Proposal to the Library District.

****Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(a) Employment of a Public Officer and ORS 192.660(2)(h) Pending Litigation. Motion was seconded by Councilor Padden and passed 5-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 10:00 p.m.

Mayor Thompson reconvened the Regular Meeting at 10:44 p.m. and immediately adjourned.

Handwritten signature of Kimberly Scheafer in black ink.

Kimberly Scheafer, CMC
City Recorder

Handwritten signature of Melody Thompson in black ink.

Melody Thompson
Mayor

Assisted with Preparation of Minutes – Susan Wood