

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
November 18, 2009**

Presiding: Mayor Melody Thompson.

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

Staff Present: John Kelley, City Attorney; Amanda Klock, Human Resources Director/Interim City Administrator; Catherine Comer, Economic Development Manager; Sue Engels, Finance Director; Bryan Brown, Planning Director; and Kim Scheafer, City Recorder.

Others Present: Bob Cornelius

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 6:11 p.m. in the City Hall Conference Room.

****Councilor Henri moved to go into Executive Session pursuant to ORS 192.660(2)(h) Pending Litigation. Motion was seconded by Councilor Padden and passed 6-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 6:12 p.m.

OPENING CEREMONIES: Mayor Thompson reconvened the Regular Meeting at 7:32 p.m. in the Council Chambers followed by the opening ceremonies.

Certificate of Achievement for Excellence in Financial Reporting – Sue Engels, Finance Director, said since 2003 the City had submitted its annual financial report to the Government Finance Officers Association and had received a Certificate of Achievement for Excellence in Financial Reporting.

Councilor Daniels asked that the Finance Department staff be thanked on behalf of the Council.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: None.

MAYOR'S BUSINESS: None.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Ares said he had attended a League of Oregon Cities Government and Ethics Class in Keizer.

Councilor Henri said he attended the Canby School Board meeting last Thursday evening. He and Mayor Thompson also attended a meeting with Clackamas County Commissioners Lynn Peterson and Charlotte Lehan regarding urban and rural reserves. The Council previously decided, with a lot of input from the community, to request that the County make the area north of town be undesignated. Prior to that, the County Commissioners had stated it would be rural reserves with some adjustments. The outcome of the meeting was that the County would not

make it rural reserves all the way to the urban growth boundary as it was now. They would drop it back to the next property boundary north of 22nd Street. Any property north of 23rd Street would be designated rural reserves. The County agreed to the revised map of the undesignated area west of Parrot Creek and extension to the north, just not as far as the City wanted.

There was discussion regarding the County's reasons for this decision.

Councilor Ares said as it became uneconomical to farm a large parcel that was surrounded by urban use, and transportation was only through the City's small streets. Those people would be forced to sell and would get the low-density use they were trying to avoid.

Councilor Henri said as City Councilors he thought they should be looking after the City and not the County and County residents. They went after 1,800-1,900 acres and got it. It was unfortunate that some of the residents were in the County north of town, but it was not their issue. It was a County issue and should be addressed with them.

Councilor Ares thought it was the City's issue to a degree, because whenever they put in services it would cost money. It would cost less to put services north of town close to the water treatment plant where there were already water lines in place.

Mayor Thompson said after talking to the Department of Land Conservation and Development, it would be difficult, under its current classification of soils, to expand Canby's urban growth boundary to include the north because of the prime farmland.

Councilor Bitter asked if there was any more opportunity to bring this argument forward.

Councilor Henri said Metro was trying to get consensus between the three counties in December. They would then go out to the community again. It was his understanding that when they went to the community they would offer another opportunity to bring it up. He did not know if that was true. It had been a difficult decision process and that was why he had asked to have a meeting with the County Commissioners last week. He thought the landowners needed to contact County Commissioners.

Councilor Bitter said he thought they should let people know when activities come out.

Mayor Thompson said that Metro's web site had a lot of information about meetings and she wouldn't rely on the City as they might miss it. The web site had maps of each county's position and information about future meeting. John Williams was the contact person at Metro regarding rural reserves. Property owners could also call the County specifically and ask what mechanism would be best to provide input to them. She asked if the Council would accept the County's position as it comes back on the map.

Councilor Henri said he thought it may be premature. They needed to get the map and see exactly what they had drawn on it. When they got the map back they needed to sit down and talk about it. He thought the Mayor should be on the Core 4 instead of being alternate.

Mayor Thompson said she thought the Council needed to have a Work Session with the Planning Department in regards to the buildable lands analysis. She thought this was it as far as the County was concerned.

Councilor Henri asked John Kelley to review the statute and report back to the Council.

Councilor Bitter said the real question was did they have an opportunity to do anything.

Councilor Padden said he was going through the process of a temporary vendor permit with the Lions Club. There was a need for a hands-on approach from the Planning Department when non-profits came in to get permits.

Councilor Daniels said that Canby Area Transit had a new bus. The Historical Society had their annual meeting last night and they were in a solid position financially. Historical calendars were coming out soon.

Councilor Hodson said the Planning Commission discussed modifications to the Fred Meyer Shopping Center. The Light the Night Parade and tree lighting would be on December 5. The Chamber ornament was now on sale.

CONSENT AGENDA: **Councilor Daniels moved to approve the minutes of the November 4, 2009 City Council Work Session and Regular Meeting and appointment of April Chavez to the Transit Advisory Committee for a term to expire on March 31, 2012. Motion was seconded by Councilor Ares and passed 6-0.

RESOLUTIONS & ORDINANCES: Ordinance 1319 – **Councilor Daniels moved to adopt Ordinance 1319, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 8.04 BY REQUIRING LOCAL BUSINESSES TO SOURCE SEPARATE AND RECYCLE CERTAIN SOLID WASTE MATERIALS, ESTABLISHING GUIDELINES FOR SOURCE SEPARATING, STORING AND RECYCLING OF SOLID WASTE MATERIALS AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Padden.

Councilor Hodson said he had received more calls that were negative towards this program. Understanding that it was a State requirement, it may not have been properly communicated down to businesses.

Motion passed 5-1 by roll call vote with Councilor Hodson opposed.

Ordinance 1321 – **Councilor Ares moved to adopt Ordinance 1321, AN ORDINANCE AUTHORIZING THE MAYOR AND INTERIM CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SNYDER ROOFING OF TIGARD, OREGON FOR THE INSTALLATION OF A NEW ROOF FOR THE CANBY ADULT CENTER BUILDING; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Henri and passed 6-0 by roll call vote.

Ordinance 1322 – **Councilor Padden moved to approve Ordinance 1322, AN ORDINANCE AUTHORIZING THE CANBY URBAN RENEWAL AGENCY TO EXECUTE A CONTRACT WITH GROUND HAWG ENVIRONMENTAL, INC. IN THE AMOUNT OF \$555,882.01 FOR RECONSTRUCTION OF THE SOUTH WALNUT STREET LID IMPROVEMENTS LOCATED IN THE CANBY PIONEER INDUSTRIAL

PARK; AND DECLARING AN EMERGENCY to come up for second reading on December 2, 2009. **Motion was seconded by Councilor Hodson.**

Councilor Ares said 19 people bid on the project and the low bid came in \$380,000 below the estimate.

Motion passed 6-0 on first reading.

NEW BUSINESS: None.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Ordinance 1319 on second reading.
3. Adopted Ordinance 1321 on second reading.
4. Approved Ordinance 1322 to come up for second reading on December 2, 2009.

Mayor Thompson adjourned the Regular Meeting at 8:30 p.m.



Kimberly Scheafer, CMC
City Recorder



Melody Thompson
Mayor

Assisted with Preparation of Minutes - Susan Wood