

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

**Presiding:** Mayor Melody Thompson.

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

**Staff Present:** Mark Adcock, City Administrator; John Kelley, City Attorney; Catherine Comer, Economic Development Manager; Sue Engels, Finance Director; and Kim Scheafer, City Recorder Pro-Tem.

**Others Present:** Tonia Hunt and Bob Cornelius.

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

**COMMUNICATIONS:** None.

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

**MAYOR'S BUSINESS:** None.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Padden said he had attended the Bike & Pedestrian Committee meeting and the Committee expressed their interest on the sidewalk issue by the Fairgrounds.

Councilor Daniels said the Historical Society would be having their retreat to plan for the upcoming year. They were working on some new displays. Transit rides were down for December due to the bad weather. Numbers on the Woodburn route were up over last year.

Mayor Thompson said the Woodburn route was supported by a grant.

Councilor Helbling said the Planning Commission still had an opening.

Mayor Thompson said there would be an opening on the Canby Utility Board.

Councilor Daniels said there were two openings on the City Budget Committee.

**CONSENT AGENDA:** None.

**RESOLUTIONS & ORDINANCES:** Ordinance 1302 – **\*\*Councilor Daniels moved to adopt Ordinance 1302, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH COMMUNITY PLANNING WORKSHOP (CPW) FOR PROFESSIONAL SERVICES TO UPDATE THE CITY'S PARK MASTER PLAN AND PARK ACQUISITION PLAN; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Helbling and passed 4-0 by roll call vote.**

Ordinance 1303 – Kim Scheafer, City Recorder Pro-Tem, said the ordinance would require signatures to be submitted for verification on initiative measures 180 days after approval and require Chief Petitioners to be residents of the City.

John Kelley, City Attorney, said this would eliminate people from outside the City from coming into the City and wanting to change laws.

**\*\*Councilor Helbling moved to approve Ordinance 1303, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE BY ADDING SECTION 2.05 PERTAINING TO FILING DEADLINE FOR INITIATIVE PETITIONS AND ADDING SECTION 2.06 REQUIRING CHIEF PETITIONERS FOR A CITY OF CANBY INITIATIVE, REFERENDUM OR RECALL PETITIONS BE ELECTORS OF THE CITY OF CANBY, OREGON to come up for second reading on February 4, 2009. Motion was seconded by Councilor Padden and passed 4-0 on first reading.**

**NEW BUSINESS:** Discussion Regarding Charter Amendments – Mark Adcock, City Administrator, summarized the main concerns of citizens regarding the Charter amendments. At the request of the Council, they brought it back for discussion.

John Kelley, City Attorney, said staff had been working to get this ready for the May election. Following the last work session where the Council discussed how they wanted to approach the electorate with the proposed Charter amendments, they decided to do a menu approach and put on several Charter amendments, probably six, for the public to review. The first measure would bring the Charter up-to-date and in conformance with Oregon law. The next involved removing the City Treasurer and City Recorder as officers and putting them in a management level position. The next was continued residency of the Mayor and Council and if someone moved out of the jurisdiction, that created a vacancy in the position. The next would change the reference from the Canby Electric Board to the Canby Utility Board. The next would be to eliminate term limits for Canby Utility Board members. The last measure would be revising the limit for contracts to be approved by ordinance. Currently anything greater than \$15,000 needed to be approved and they wanted to raise that to \$50,000.

He was unsure if the Council wanted to put the issue of the Mayor voting and City Administrator residency on the May ballot.

Councilor Daniels said there was a lot of discussion regarding those two items. There was a strong feeling in the public that the Mayor not vote and the City Administrator live in town. He clarified the reason for the City Administrator change was the fact that it might be difficult to attract a new City Administrator if candidates had to move to Canby. He explained the reasons behind the other amendments.

Councilor Padden agreed with the approach they were taking, but he would like to see the topics of residency requirement for the City Administrator and having the Mayor vote be brought forward at an election date in the future and not be dropped.

Councilor Helbling thought this menu route was the way to go. He thought they should not defer the other two items as the cost to the City was nominal.

There was discussion regarding putting in or leaving out the two issues. There was a risk to putting them in.

Council consensus was to leave the two controversial issues out of the May election and bring them forward at another election.

Mr. Adcock said there would be an information piece dedicated to each issue in the *Canby Herald* leading up to the election. They needed to explain it to as many citizens as possible.

Councilor Padden suggested putting a fact sheet about the measures in the sewer and street maintenance bill.

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** None.

**CITIZEN INPUT:** Presentation by the Children's Center for Clackamas County – Tonia Hunt, Executive Director, said the Children's Center worked with law enforcement across the County to help keep children safe. They were the designated medical provider for children who were suspected to be victims of abuse in Clackamas County. They were looking at expanding their facility as they could not serve all the children in need. They received half of their funding from public sources such as the State and County and the remaining half was primarily through fundraising efforts and some medical insurance reimbursement. They still regularly were underfunded. There was an increase in demand in their physical abuse cases. They had 14 staff and many were part time. She had come to raise their level of awareness of the program especially as they headed into a capital campaign.


**ACTION REVIEW:**

1. Adopted Ordinance 1302 on second reading.
2. Approved Ordinance 1303 to come up for second reading on February 4, 2009.
3. Provided guidance on the items to include for the Charter amendments in the May election.

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

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 8:14 p.m.

Mayor Thompson reconvened the Regular Meeting at 8:40 p.m. and immediately adjourned.

	
Kimberly Scheafer, CMC City Recorder Pro-Tem	Melody Thompson Mayor

Assisted with Preparation of Minutes – Susan Wood