

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
May 7, 2008**

**Presiding:** Mayor Melody Thompson

**Council Present:** Paul Carlson, Teresa Blackwell, Wayne Oliver, Walt Daniels, Randy Carson and Tony Helbling.

**Staff Present:** Mark Adcock, City Administrator; John Kelley, City Attorney; Beth Saul, General Services Director; Dwayne Barnes, Public Works Director; Catherine Comer, Economic Development Manager; and Kim Scheafer, City Recorder Pro-Tem.

**Others Present:** John Dewar, Irene Breshears, Carlie Hillner, Susan Voss, Sheryl Rahn, Bev Doolittle, Tim Stuart, Carole Darling, Sue Carson, Ken Daniels, Vicki Lang, Wayne Guild, Jason Padden and Bob Cornelius.

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

National Association of Letter Carriers National Food Drive Day Proclamation – Mayor Thompson presented John Dewar with a proclamation proclaiming May 10, 2008 as 2008 National Association of Letter Carriers National Food Drive Day.

Poppy Days in Canby Proclamation – Mayor Thompson presented Susan Voss with a proclamation proclaiming the month of May as Poppy Month and the week of May 25 through May 31, 2008 as Poppy Days in the City of Canby.

Carlie Hillner read the poem *In Flander's Field*.

Historical Society Day Proclamation – Mayor Thompson presented Sheryl Rahn with a proclamation proclaiming May 20, 2008 as Canby Historical Society Day. Ms. Rahn invited the Council to attend their 40<sup>th</sup> anniversary on May 20.

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Bev Doolittle, Chamber Executive Director, said the planters were cleaned out and on the 13<sup>th</sup> Canby High School students would be planting the planters. The flower baskets would be hung later in the week.

**MAYOR'S BUSINESS:** Mayor Thompson said representatives from the State's Economic Development Program and the OECD had visited Canby to see the projects that had been done with the investments they made.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Carlson said that the next Traffic Safety Committee meeting would be held on May 8 at noon. Connection Central and other community partners would be launching an after school teen center. The Canby Livability Coalition and Canby Green Space Art Park Steering Committee would be presenting the

architectural landscape design for the Canby Art Park at Wallflowers Gallery on May 28. The official unveiling of the design would be showcased at the Canby Wine and Art Festival on May 30.

Councilor Blackwell said every year the Depot Museum gave tours to fourth graders who were studying Oregon history.

Councilor Oliver said the Canby Gator Grinder would be on Saturday, May 10 at the Canby Swim Center. There would be 250 competitors.

Councilor Daniels said the Peddler's Market would be opening this weekend and the Jazz Festival would be held at the park. He asked for staff to look at parking spaces on north Second between Ivy and Grant. Large vehicles were parking in small spaces. The Transit Advisory Committee would be meeting on May 14. The Police Department would be hosting a Bike Rodeo at Knight School on May 17.

Councilor Blackwell said she was concerned about truck parking on Berg Parkway. She asked for staff to take a look at it.

Councilor Carson said he had attended training at Clackamas County for elected officials during an emergency.

Councilor Helbling said the Planning Commission heard part of the Design Standards and the hearing had been continued to Tuesday, May 27. Canby Business Development had been dissolved and any remaining money had been turned over to the Chamber of Commerce to be used for the flowers in downtown. Any equipment was also turned over to the Chamber and was being distributed to other organizations in the community. He talked about the success of Puddin' River Chocolates, a local business started from scratch.

**CONSENT AGENDA: \*\*Councilor Daniels moved to approve the minutes of the April 9, 2008 City Council Work Session; minutes of the April 16, 2008 City Council Work Session and Regular Meeting; minutes of the April 23, 2008 City Council Special Meeting; an amendment to the Puddin' River Chocolates & Wine Bar Liquor License Application; and a street closure request for S. Ponderosa Street between 13<sup>th</sup> & 15<sup>th</sup> Avenues.**

Councilor Daniels said the street closure was for a block party.

**Motion was seconded by Councilor Carson and passed 6-0.**

**RESOLUTIONS & ORDINANCES:** Resolution 974 – Catherine Comer, Economic Development Manager, said this was a housekeeping matter to finalize the loan with OECD.

**\*\*Councilor Carson moved to adopt Resolution 974, A RESOLUTION OF THE CITY OF CANBY AUTHORIZING A LOAN FROM THE SPECIAL PUBLIC WORKS FUND BY ENTERING INTO AN INTERIM LOAN CONTRACT AND A PERMANENT LOAN CONTRACT WITH THE OREGON ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT. Motion was seconded by Councilor Helbling and passed 6-0.**

Resolution 976 – Ms. Comer said the number one question she was asked was if the theater was here yet. This was a big step for making this happen in the community. Surveys showed that Canby was losing 1.7 million dollars per year because they did not have a theater. The cinema would be located in downtown across from Thriftway. It would be a private development that would develop the cinema in conjunction with the Village at Canby Station which was 20 to 30 million dollar mixed use redevelopment for downtown. The Urban Renewal Agency agreed to support the revitalization of downtown by investing in the continuation of a streetscape of Second Avenue and a 136 parking lot to service downtown.

**\*\*Councilor Helbling moved to adopt Resolution 976, A RESOLUTION AUTHORIZING THE CANBY URBAN RENEWAL AGENCY BOARD TO ENTER INTO AN OPTION CONTRACT TO PURCHASE REAL PROPERTY LOCATED AT 301 NE THIRD STREET, CANBY, OREGON. Motion was seconded by Councilor Daniels and passed 5-1 with Councilor Carlson opposed.**

Resolution 977 – John Kelley, City Attorney, said that Walnut Street was being developed for Sequoia Parkway's extension and as a result they were acquiring road right-of-way. The property at 470 S Walnut required them to take a portion of the owner's drain field and in so doing he could not operate his septic system. The City would have to extend the City's sewer system to him even though the property was currently outside the City limits. They obtained consent from Clackamas County that authorized the extension to the resident.

**\*\*Councilor Daniels moved to adopt Resolution 977, A RESOLUTION EXTENDING MUNICIPAL SEWER SERVICE TO 470 SOUTH WALNUT STREET TAX LOT 2800 OF TAX MAP 3-1E-34 LOCATED OUTSIDE OF THE CANBY CITY LIMITS, PURSUANT TO THE URBAN GROWTH MANAGEMENT AGREEMENT BETWEEN CLACKAMAS COUNTY AND CITY OF CANBY. Motion was seconded by Councilor Carson and passed 6-0.**

Resolution 978 – **\*\*Councilor Carson moved to adopt Resolution 978, A RESOLUTION ADOPTING AN AMENDED INTERGOVERNMENTAL AGREEMENT WITH THE CANBY URBAN RENEWAL AGENCY REGARDING THE CONSTRUCTION OF S. SEQUOIA PARKWAY PHASES 5 & 6 AND S. BERG PARKWAY. Motion was seconded by Councilor Carlson and passed 6-0.**

Ordinance 1273 – **\*\*Councilor Blackwell moved to adopt Ordinance 1273, AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH SIGNATURE PAVING SERVICES INC. OF NEWBERG, OREGON TO PAVE AN AREA OF COMMUNITY PARK FOR THE CANBY PARKS DEPARTMENT; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Daniels and passed 6-0 by roll call vote.**

Ordinance 1274 – Dwayne Barnes, Public Works Director, said this was for one of the final phases of Legacy Park. The bids closed on April 29, they had 3 bids and the lowest was P.C.R. for \$237,000. They received letters of recommendation from other cities.

**\*\*Councilor Daniels moved to approve Ordinance 1274, AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH P.C.R. INC. OF BEAVERCREEK, OREGON TO CONSTRUCT IMPROVEMENTS AT LEGACY PARK FOR THE CANBY PARKS DEPARTMENT; AND DECLARING AN EMERGENCY to come up for second reading on May 21, 2008. Motion was seconded by Councilor Blackwell and passed 6-0 on first reading.**

**NEW BUSINESS:** Appointment of City Treasurer Pro-Tem – Mr. Kelley said they were without a City Treasurer and the Charter had a provision that allowed them to appoint a pro-tem officer. He suggested they do that in this situation during the interim period depending upon what happened with the Charter.

**\*\*Councilor Helbling moved to appoint Mark Adcock as City Treasurer Pro-Tem. Motion was seconded by Councilor Carson and passed 6-0.**

Mr. Adcock said he would be delegating the duties to an interim Finance Director.

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

**CITIZEN INPUT:** Jason Padden said the Canby Lions Plant Sale would be held on May 10 from 9 AM – 3 PM located in the plaza by Cutsforth's between the bank and Tai Dish restaurant. The proceeds from the sale funded projects in the community.

**ACTION REVIEW:**

1. Approved the consent agenda.
2. Approved the Amendment to Puddin' River Chocolates & Wine Bar Liquor License Application.
3. Approved Street Closure Request for S. Ponderosa Street Between 13<sup>th</sup> & 15<sup>th</sup> Avenues.
4. Adopted Resolution 974.
5. Adopted Resolution 976.
6. Adopted Resolution 977.
7. Adopted Resolution 978.
8. Adopted Ordinance 1273 on second reading.
9. Approved Ordinance 1274 to come up for second reading on May 21, 2008.
10. Appointment of Mark Adcock City Treasurer Pro-Tem.
11. Staff would look into parking on Second Avenue.

**\*\*Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(e) Real Property, ORS 192.660(2)(h) Pending Litigation, and ORS 192.660(2)(i) Performance Evaluation of Public Officer. Motion was seconded by Councilor Carson and passed 6-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 8:23 p.m.

Mayor Thompson reconvened the Regular Meeting at 9:50 p.m. and immediately adjourned.

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**CANBY CITY COUNCIL  
EXECUTIVE SESSION**

**May 7, 2008**

**Presiding:** Mayor Melody Thompson

**Council Present:** Paul Carlson, Teresa Blackwell, Wayne Oliver, Walt Daniels, Randy Carson, and Tony Helbling.

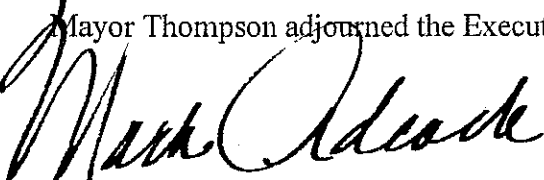
**Staff Present:** Mark Adcock, City Administrator; John Kelley, City Attorney; and Kim Scheafer, City Recorder Pro-Tem

**Others Present:** None.

Mayor Thompson called the Executive Session to order at 8:30 p.m. in the City Hall Conference Room.

ORS 192.660(2)(e) Real Property – The Council discussed a real property transaction.  
ORS 192.660(2)(h) Pending Litigation – The Council discussed pending litigation matters.  
ORS 192.660(2)(i) Performance Evaluation of Public Officer – The Council discussed the performance evaluation of the City Attorney.

Mayor Thompson adjourned the Executive Session at 9:50 p.m.

  
for Kimberly Scheafer, CMC  
City Recorder Pro Tem

  
Melody Thompson  
Mayor

Assisted with preparation of minutes – Susan Wood