

**CANBY CITY COUNCIL
WORK SESSION MINUTES
May 16, 2007**

Presiding: Mayor Melody Thompson

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

Staff Present: John Kelley, City Attorney; John Williams, Community Development & Planning Director; and Kim Scheafer, City Recorder Pro-Tem.

Others Present: None.

Mayor Thompson called the Work Session to order at 6:30 p.m. in the City Hall Conference Room. A light dinner was served. The Council met to review proposed changes to the City Charter.

John Kelley, City Attorney, reviewed the proposed changes in the Charter. The City Treasurer and City Recorder would no longer be officers of the City, and they would be employees directly answerable to the City Administrator. The City Administrator, Judge, and City Attorney would be the only officers hired on contract. The Mayor would become a voting member of the Council.

A discussion took place regarding proposed language in Chapter IV, Section 8 that stated the Council or any of its members shall not give orders or directives to any subordinate or City employee, other than the City officers. Mayor Thompson wanted to clarify what contact they could make with staff.

Councilor Helbling said if they called staff to answer a question, that would be fine, but if they were generating work for staff, it should go through the City Administrator. The consensus was to keep the proposed language.

Mr. Kelley said the City Administrator would no longer be required to be a resident of the City. They could put a response time in the Administrator contract.

Canby Utility wanted to change the name from Canby Electric to Canby Utility. There was discussion about the name change. Councilor Helbling said the City wanted to keep the relationship that existed between the City and electric utility board the same and the name should stay electric company. If they called them something different, they were defining them as something different. Canby Utility was a trade name.

Mr. Kelley said whatever they called them in the charter, that is who they were. The consensus was to change the wording to Canby Utility, as that was the name they were currently using.

Councilor Helbling asked regarding wording that a Councilor whose term was over, but no one was elected to take his place, they had to continue to serve on the Council. Councilor Blackwell thought it meant they would serve until a successor was appointed.

The consensus of the Council was to add language under Chapter VI Section 2 and Chapter III, Section 7, that required the Mayor and Council members to live in the City limits during their term of office.

The consensus of the Council was to add language to Chapter IX, Section 2, a proposed public improvement may be suspended for six months upon remonstrance by owners of the real property to be specially assessed for the improvement, and the assessment number would be set by Ordinance.

Canby Utility requested that term limits for the board would be eliminated. The consensus of the Council was to have the Canby Utility Board review the sections in the Charter that mentioned them and use their recommendation as to the name they wished to be called.

Mr. Kelley said they changed the contractual obligation from \$15,000 to \$50,000. Councilor Helbling wanted to see an inflationary factor added.

Mr. Kelley gave them a proposed timeline of getting the charter amendments out to the public. They would have an article in the *Canby Herald*, the charter would be posted on the City's web page, they would hold a public hearing during a Council meeting in July, and it would be placed on the November ballot. The Council agreed to the timeline.

Mayor Thompson adjourned the Work Session at 7:30 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
May 16, 2007**

Presiding: Mayor Melody Thompson

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

Staff Present: John Kelley, City Attorney; John Williams, Community Development & Planning Director; Beth Saul, General Services Director; and Kim Scheafer, City Recorder Pro-Tem.

Others Present: Robin Adcock, Bev Doolittle, and Steve St. Amand.

CALL TO ORDER: Mayor Thompson called the Regular Meeting to order at 7:36 p.m. followed by the opening ceremonies.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Bev Doolittle, Chamber of Commerce Executive Director, said the flower baskets had been hung on Sunday and the planters were going to be cleaned out. She requested to have 2nd Street closed off between Holly and Grant from 8 – 8:45 a.m. next Wednesday so that high school students could safely plant flowers in the planters. Councilor Carson said that this was now arranged at the staff level.

Robin Adcock, Relay for Life member, gave details about the Relay event that would be held on June 29-30 at Canby High School. The City team was Blues Brothers.

MAYOR'S BUSINESS: Mayor Thompson said that Councilor Carlson was absent due to illness. The Council had met in a work session to review proposed changes to the City charter.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Blackwell said the Summer Reading Program would be from June 18 to August 10 at the Canby Public Library. The Library was also raffling a piece of pottery made locally and it was on display in the Library lobby.

Councilor Oliver said the Booster Club would be having their annual event on June 2 at the Fairgrounds. The Canby girl's rugby team was traveling to Wisconsin for a national tournament.

Councilor Daniels said he attended a Transit Advisory Committee meeting last Wednesday and they were working on the master plan. They gave accolades to the maintenance staff for keeping the buses rolling.

Councilor Carson said the *Oregonian* gave the preliminary results for both annexations on the ballot, and they seemed to be passing. Mr. Williams said the latest count showed the industrial one was failing by two votes. The elections office was still counting ballots.

Councilor Helbling said a Planning Commissioner resigned because of a job change, and they would advertise the opening. The third and final design charrette for the downtown/highway 99E design standards was scheduled for May 31 at the Canby Adult Center at 5:30 p.m.

CONSENT AGENDA: **Councilor Daniels moved to approve the Accounts Payable of \$372,987.00, minutes of the April 30, 2007 City Council Work Session, and minutes of the May 2, 2007 City Council Work Session and Regular Meeting. Motion was seconded by Councilor Carson and passed 5-0.

PUBLIC HEARING: ROW 03-03 Canby School District –

Mayor Thompson opened the public hearing at 7:49 p.m.

****Councilor Blackwell moved to continue the Public Hearing for ROW 07-03 to June 6, 2007. Motion was seconded by Councilor Daniels and passed 5-0.**

RESOLUTIONS & ORDINANCES:

Ordinance 1235 – ****Councilor Daniels moved to adopt Ordinance 1235, AN ORDINANCE VACATING TWO AND ONE HALF FEET OF THE PUBLIC RIGHT-OF-WAY ON THE EAST SIDE OF NORTH MAPLE STREET FRONTING TAX LOT 2503 OF MAP 3-1E-28DD. Motion was seconded by Councilor Carson.**

Councilor Daniels asked if it would be easier to make a variance rather than give them a number of feet from the property line. Mr. Williams said the variance did not allow a setback of two and a half feet in this case, it would only allow two feet.

Motion passed 4-1 by roll call vote with Councilor Helbling opposed.

Ordinance 1240 – ****Councilor Carson moved to adopt Ordinance 1240, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CURRAN-MCLEOD, INC. CONSULTING ENGINEERS FOR ENGINEERING SERVICES TO COMPLETE IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Daniels and passed 5-0 by roll call vote.**

Ordinance 1241 – Mr. Williams said they were intending to contact each property owner to discuss what would be done at the location. All of the work would be done in the public right-of-way, and they would be working with people to retain trees and shrubs.

****Councilor Carson moved to adopt Ordinance 1241, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CURRAN-McLEOD, INC. CONSULTING ENGINEERS FOR DESIGN AND CONSTRUCTION ENGINEERING OF THE NW CANBY SIDEWALK AND ADA IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Daniels and passed 5-0 by roll call vote.**

Ordinance 1242 – ****Councilor Blackwell moved to adopt Ordinance 1242, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH CANBY EXCAVATING, INC. FOR CONSTRUCTION OF SOUTH BERG PARKWAY ROADWAY EXTENSION; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Carson and passed 5-0 by roll call vote.**

Beth Saul, Library and Parks Director, said that Community Park would be closed when the entrance was being redone. They did not know when that would happen yet.

Ordinance 1243 – Mr. Williams said Ordinance 1243 and 1244 were system development charge projects. They would authorize expenditures of SDC funds to two capital improvement projects. For Ordinance 1243, they would take the money from the Sanitary Sewer SDC and give it back to the Urban Renewal District. Urban Renewal provided up front funding for the sewer pump station to accommodate the construction timeline of the businesses in the industrial park. The project was completed by Cascadia Development and they got a good price because they were

already doing work in the right-of-way and included the pump station. Now they wanted to use City money to pay for the project, which was where the funding should come from. They agreed that Urban Renewal would pay it if the SDC fund was insufficient, but that was not the case and they were recommending payment at this time.

****Councilor Carson moved to approve Ordinance 1243, AN AUTHORIZING A PAYMENT OF \$350,197.00 FROM THE SANITARY SEWER SYSTEM DEVELOPMENT CHARGE FUND TO THE CANBY URBAN RENEWAL DISTRICT FOR THE HAZEL DELL WAY/SE 1ST AVENUE SANITARY SEWER PUMP STATION AND RELATED SANITARY SEWER LINES; AND DECLARING AN EMERGENCY to come up for second reading on June 6, 2007. Motion was seconded by Councilor Helbling and passed 5-0 on first reading.**

Ordinance 1244 – Mr. Williams said this was a Transportation SDC and was a project being done by developers as part of a frontage improvement. The retail development was called Canby Place at the intersection of 99E and Berg Parkway. The frontage improvements required them to create a right turn lane, which required the relocation of the traffic signal pole. That relocation was going to be part of a public improvement project, but because of the timing, the developers could not complete their improvements without relocating the pole and they agreed to do the project. This money would be compensation for their work.

****Councilor Daniels moved to approve Ordinance 1244, AN ORDINANCE AUTHORIZING PAYMENTS NOT TO EXCEED \$97,712.00 FROM THE TRANSPORTATION SYSTEM DEVELOPMENT CHARGE FUND TO STERLING DEVELOPMENT FOR THE RELOCATION OF A SIGNAL POLE AND UTILITIES AT THE INTERSECTION OF S. BERG PARKWAY AND HIGHWAY 99E; AND DECLARING AN EMERGENCY to come up for second reading on June 6, 2007. Motion was seconded by Councilor Carson.**

Councilor Helbling said he met the developers at a Planning Commission meeting, and they were a group that were willing to invest money into Canby to bring business to Canby. There were costs they would not recover in moving this pole, and he was grateful to them for stepping up and working with the City to get the pole moved when they did not have to do it.

Motion passed 5-0 on first reading.

NEW BUSINESS: None.

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the consent agenda.
2. Staff would work with the Chamber to close 2nd Street for planting.
3. Approved Ordinance 1235 on second reading.

4. Approved Ordinance 1240 on second reading.
5. Approved Ordinance 1241 on second reading.
6. Approved Ordinance 1242 on second reading.
7. Approved Ordinance 1243 to come up for second reading on June 6, 2007.
8. Approved Ordinance 1244 to come up for second reading on June 6, 2007.
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****Councilor Daniels moved to go into Executive Session pursuant to ORS 192.660(2)(d) Labor Negotiations and ORS 192.660(2)(i) Performance Evaluation of Public Officer. Motion was seconded by Councilor Carson and passed 5-0.**

Mayor Thompson read the Executive Session format and recessed the Regular Meeting at 8:03 p.m.

Mayor Thompson reconvened the Regular Meeting at 9:06 p.m. and immediately adjourned.

**CANBY CITY COUNCIL
EXECUTIVE SESSION
May 16, 2007**

Presiding: Mayor Melody Thompson

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

Staff Present: Chaunee Seifried, Finance & Court Services Director; and Amanda Klock, Human Resources Director.

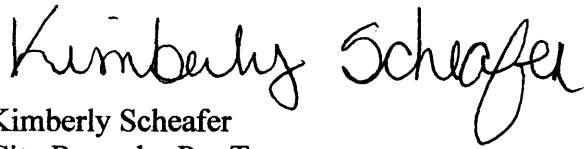
Others Present: Mike Swanson

Mayor Thompson called the Executive Session to order at 8:10 p.m. in the City Hall Conference Room.

ORS 192.660(2)(d) Labor Negotiations – The Council discussed AFSCME labor negotiations. Negotiations would be continued and further discussed at a future Executive Session.

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 9:06 p.m.



Kimberly Scheafer
City Recorder Pro Tem



Melody Thompson
Mayor

Assisted with Preparation of Minutes – Susan Wood