

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
March 7, 2007**

**Presiding:** Mayor Melody Thompson

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

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

**Others Present:** Barry Lucas, Steve St. Amand, Judy Patterson, and Cynthia Thompson.

**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:** Judy Patterson thanked the Council on her upcoming appointment and said she would do her best.

**MAYOR'S BUSINESS:** None.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Daniels said that Ms. Patterson would be appointed to the Transit Advisory Committee.

Councilor Carson congratulated the Canby High School boys basketball team on going to the State tournament. He had attended a breakfast meeting with the Society of Industrial and Office Realtors of Oregon. The Canby Pioneer Industrial Park had been nominated for the Transaction of the Year Award. The award had been presented to Allen Patterson, Terry Tolls, John Williams, and Catherine Comer for Industrial Development of the Year.

Councilor Helbling said that CBD and the Planning Commission were participating in the downtown design meeting next week.

Mayor Thompson said that Councilor Blackwell and Councilor Carlson were excused.

**CONSENT AGENDA:** \*\*Councilor Daniels moved to approve the Accounts Payable of \$222,308.62; minutes of the February 13, 2007 City Council Special Meeting; minutes of the February 15, 2007 City Council Work Session; minutes of the February 21, 2007 Regular Meeting; a Memorandum of Understanding II with the Canby Livability Coalition; appointment of Judy Patterson to the Transit Advisory Committee for a term to expire on March 31, 2009; and the reappointment of Clair Kuppenbender to the Transit Advisory Committee for a term to expire on March 31, 2010. Motion was seconded by Councilor Carson and passed 4-0.

**RESOLUTIONS & ORDINANCES:** Resolution 946 – **\*\*Councilor Carson moved to adopt Resolution 946, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 1.95 ACRES DESCRIBED AS TAX LOT 1301 OF TAX MAP 4-1E-4CA LOCATED AT 1401 S FIR STREET; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE MAY 15, 2007 ELECTION. Motion was seconded by Councilor Helbling and passed 4-0.**

Resolution 947 - **\*\*Councilor Daniels moved to adopt Resolution 947, A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED ANNEXATION OF 32.62 ACRES DESCRIBED AS TAX LOTS 2400 AND 3100 OF TAX MAP 3-1E-34 LOCATED AT 23849 S MULINO ROAD; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE MAY 15, 2007 ELECTION. Motion was seconded by Councilor Oliver and passed 4-0.**

Ordinance 1233 – John Williams, Community Development & Planning Director, said that the City's Engineer was an owner of the Northwoods Development and was not able to review the application. Due to the complexity of the development, they needed to extend the contract to \$20,000.00. The firm had been asked to do some design engineering for the City park that would be located in the subdivision.

**\*\*Councilor Carson moved to approve Ordinance 1233, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH KENNEDY/JENKS CONSULTANTS FOR ENGINEERING SERVICES; AND DECLARING AN EMERGENCY to come up for second reading on March 21, 2007. Motion was seconded by Councilor Daniels and passed 4-0 on first reading.**

Ordinance 1234 – Mr. Williams said this was the third clarifier to be painted as was laid out in their maintenance plan. It would cost \$24,900.00 and was a budgeted expense.

**\*\*Councilor Helbling moved to approve Ordinance 1234, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH LONG PAINTING COMPANY FOR THE WASTEWATER TREATMENT PLANT PRIMARY CLARIFIER COATING REPAIRS; AND DECLARING AN EMERGENCY to come up for second reading on March 21, 2007. Motion was seconded by Councilor Oliver and passed 4-0 on first reading**

**NEW BUSINESS:** Agreement with Canby Vietnam Era Veterans Memorial Fund, Inc. – John Kelley, City Attorney, said that he had been approached by Jon Dragt who was writing a grant for development of the Canby Vietnam Memorial project near Burgerville. They needed a copy

of a written agreement between the Canby Veterans Memorial Fund, Inc and City of Canby to be sent with the grant. It was a revocable permit and required the Veterans to construct the memorial as planned. The memorial would be owned by the City once it was constructed and the City would cover insurance. Maintenance would be the Veterans group's responsibility.

Mr. Barry Lucas gave an update on the memorial. The pedestal and helicopter would be going up on April 2. A lot of in-kind work had been done on the project. They also had \$35,000.00 for the project. Years ago when the project started the Council had agreed to waive the permits and fees. He asked the Council for a letter to go to the Planning and Building Department that waived fees.

Mr. Williams said they could not waive building fees, the City would have to pay them and the money would need to come from another fund.

Councilor Carson said that the Council could not waive fees for Canby Utility, as they were a separate entity.

The consensus of the Council was to waive Planning Department fees and pay for the Building Department fees from the contingency fund.

**\*\*Councilor Daniels moved to authorize the City Administrator to sign a Revocable Permit and allow construction to begin. Motion was seconded by Councilor Carson and passed 4-0.**

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** – Status Report on NE Canby Master Plan - Mr. Williams said the project was funded by a grant from the State and the master plan was waiting for adoption because it generated traffic impacts on other intersections in Canby that ODOT would not accept. They had to complete a new traffic model for the City for the next 20 years, which would derive a new project list to base their SDC, and capital improvements plan on. There were two Measure 37 cases that were in this area that were currently outside the City limits.

Status Report on NE Redwood Master Plan – Mr. Williams said this plan had the same traffic problems. They wanted to do some topographical surveys of the area in order to pinpoint the location of the infrastructure that was needed. They needed to find the funding to do that.

Councilor Carson said he had seen a lot of for sale signs in the area and they should try to work with the new owners so they could make a good plan for the area.

Mr. Williams said they were working on the code to require a master plan for annexations.

Councilor Carson thought they should have a proactive dialogue with selected property owners in that area.

There was discussion about talking to property owners and if it would be a benefit to the City.

Status Report on Legacy Park – Beth Saul, General Services Director, said they were still working on Legacy Park. A contractor was being solicited to build the restrooms at Maple Street and Legacy Parks.

**CITIZEN INPUT:** None.

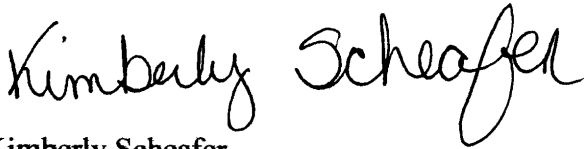
Councilor Daniels said the Transit Advisory Committee had a meeting last week. He commended Beth Saul for her work. They were getting requests from the industrial area to provide a bus system there. They would be reevaluating the routes around town.

**ACTION REVIEW:**

1. Approved the consent agenda.
2. Approved Resolution 946.
3. Approved Resolution 947.
4. Approved Ordinance 1233 to come up for second reading on March 21, 2007.
5. Approved Ordinance 1234 to come up for second reading on March 21, 2007.
6. Approved the Revocable Permit with Canby Vietnam Era Veterans Memorial Fund, Inc.

There was not an Executive Session.

Mayor Thompson adjourned the Regular Meeting at 8:25 p.m.



Kimberly Scheafer  
City Recorder Pro Tem



Melody Thompson  
Mayor

Assisted with Preparation of Minutes – Susan Wood