

CANBY CITY COUNCIL WORKSHOP

January 8, 2003

Present: Mayor Elect Melody Thompson, Councilors Elect Paul Dawson, Georgia Newton and Wayne Oliver, Councilors Randy Carson and Pat Johnson, City Administrator Mark Adcock, and City Attorney John Kelley.

Attorney John Kelley called the session to order at 6:30 p.m. A light dinner was served.

The Council Elect met in workshop session for new council training with City Attorney John Kelley.

Attorney John Kelley adjourned the session at 7:27 p.m.

CANBY CITY COUNCIL

REGULAR SESSION

January 8, 2003

Mayor Terry Prince presiding. Council members present: Jean Tallman, Walt Daniels, Patrick Johnson, Shirley Strong, Randy Carson, and Teresa Blackwell.

Also present: City Administrator Mark Adcock, City Attorney John Kelley, Community Development and Planning Director John Williams, Library and Parks Director Beth Saul, Finance Director Chaunee Seifried, Finance Operations Manager Laura Dornbusch, Transit Director Margaret Yochem, Chief of Police Ken Pagano, Police Lieutenant Greg Kroeplin, Kim Scheafer, Marty Moretty, Melody Thompson, Paul Dawson, Georgia Newton, Wayne Oliver, Judge Jon S. Henricksen, Steven Amick, Terry Tolls, Rodney Rose, Linda Finden, Craig Finden, Tom Scott, Wayne and Marlene Scott, Barry and Mary Lucas, Kari Clifford, Shelby Clifford, Lindsey Clifford, Ken Clifford, John and Virginia Molamphy, Ryan and Kerrie Oliver, Tony Clifford, Marlene Elmore, Buzz and Pat Weygandt, Tracy Clifford, Jamie Johnk, Matthew Olsen, Jeff Scott, Kay Lewelling, Bob Tice, Jerry Smith, Virginia Daniels, Jim Newton, Clarence Kaufman, Lisa Weygandt, Jill Marie Wiles, Randy Tessman, Curtis and Lila Gottman, Duane Weeks, Ken Perinchief, Betty Bush, Craig Lewelling, Roger Harris, and Phil Dawson.

Mayor Prince called the regular session to order at 7:32 p.m., followed by the opening ceremonies and a moment of remembrance for our troops.

CITIZEN INPUT ON NON-AGENDA ITEMS: Bob Tice, resident of 401 NW Territorial Rd., Canby, represented the Canby Livability Coalition as president of the organization. He thanked the Council for their support, especially those who were leaving. There was an article about the coalition in the *Canby Herald* that week that explained their organization's mission. He pledged the COC's efforts for the future to make Canby a more livable place.

CONSENT AGENDA: **Councilor Strong moved to approve the Minutes of the regular session of December 18, 2002 and Accounts Payable of \$202,090.82. Motion was seconded by Councilor

Carson and passed 6-0.

COMMUNICATIONS: Letters from Moms Club of Canby - City Administrator Mark Adcock said the first letter was a letter of transmittal for a check of \$332.92 to help with the Wait Park restroom project. The second letter was another transmittal of \$453.46 to be applied to the 13th Avenue Park project. He prepared letters of thanks to that organization.

NEW BUSINESS: Appointment to Planning Commission - Mayor Prince stated this had been removed from the agenda.

OLD BUSINESS: Findings, Conclusion, and Final Order for Annexation ANN 02-02 - Administrator Adcock said the Council held a public hearing on December 18 for this annexation, and had approved that it to be sent to the voters. A companion item was Resolution 817 referring ANN 02-02 to the voters.

****Councilor Carson moved to adopt the findings, conclusion, and final order for ANN 02-02, A REQUEST TO ANNEX APPROXIMATELY 151 ACRES OF LAND INTO THE CITY OF CANBY. Motion was seconded by Councilor Blackwell and passed 6-0.**

****Councilor Tallman moved to adopt Resolution 817, 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 APPROXIMATELY 151 ACRES DESCRIBED AS TAX LOTS 00100, 00300, 00301, 00400, 00500, 00600, 00800, 01600, 01800, 02000, 02100, 02101, 02200 AND 02500 OF TAX MAP 3-1E-34 AND TAX LOT 01001 OF TAX MAP 4-1E-03 LOCATED IN THE SOUTHEAST QUADRANT OF THE CITY, BORDERED GENERALLY BY SE 1ST AVENUE ON THE NORTH, MULINO ROAD ON THE EAST AND S. TOWNSHIP ROAD ON THE SOUTH; 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 MARCH 11, 2003 SPECIAL ELECTION. Motion was seconded by Councilor Johnson and passed 6-0.**

Findings, Conclusion, and Final Order for Annexation ANN 02-04 - Administrator Adcock stated that a public hearing had been held on December 18, and the Council also approved this to be forwarded to the voters. This would go in the May 2003 election. The Council would approve the findings that night, and the explanatory statement and resolution would be brought back at a later time.

****Councilor Daniels moved to adopt the findings, conclusion, and final order for ANN 02-04, A REQUEST TO ANNEX A 4 ACRE PARCEL ON TERRITORIAL RD AND JUNIPER INTO THE CITY OF CANBY. Motion was seconded by Councilor Tallman and passed 6-0.**

ORDINANCES & RESOLUTIONS:

Ordinance 1108 - ****Councilor Daniels moved to adopt Ordinance 1108, AN ORDINANCE AMENDING TITLE 15 OF THE CANBY MUNICIPAL CODE. Motion was seconded by**

Councilor Strong and passed 6-0 by roll call vote.

Ordinance 1111 - **Councilor Johnson moved to adopt Ordinance 1111, AN ORDINANCE AMENDING TITLE 16 OF THE CANBY MUNICIPAL CODE. Motion was seconded by Councilor Carson and passed 6-0 by roll call vote.

Ordinance 1112 - **Councilor Tallman moved to adopt Ordinance 1112, AN ORDINANCE VACATING A PORTION OF THE PUBLIC RIGHT-OF-WAY ORIGINALLY CREATED AS AN EMERGENCY VEHICLE TURNAROUND ON THE SOUTH SIDE OF SE 9TH AVENUE BETWEEN TAXLOTS 508 AND 509 OF MAP 4-1E-03BB. Motion was seconded by Councilor Strong and passed 6-0 by roll call vote.

MANAGER'S REPORT: None.

CITIZEN INPUT: None.

COUNCILORS' ISSUES: None.

ACTION REVIEW:

1. Adopting the Consent Agenda.
2. Adopting Findings of Fact for ANN 02-02.
3. Adopting Findings of Fact for ANN 02-04.
4. Approving Ord. 1108 on final reading.
5. Approving Ord. 1111 on final reading.
6. Approving Ord. 1112 on final reading.
7. Approving Resolution 817.

SWEARING IN CEREMONY: Mayor Prince introduced Municipal Court Judge Jon S. Henriksen who administrated the Oath of Office to Councilors Paul Dawson, Georgia Newton, and Wayne Oliver. After congratulating the new councilors, he administered the Oath of Office to Mayor Melody Thompson.

Mayor Melody Thompson stated that her campaign was one of the most challenging and trying things she's ever done, but equally the most rewarding. She promised to do a good job.

Councilor Paul Dawson stated that it was an honor and privilege to serve as Councilor. He thanked his family, friends, and all those that were helpful during his campaign. He thanked Administrator Adcock and his staff for educating him in the inner workings of the city. They had a lot of decisions to make, and they would be made as to what was best for Canby. He thanked those that had served before them.

Councilor Wayne Oliver thanked everyone who helped him with his campaign. It was educational and he enjoyed it a lot. He said that his door was always open and any citizen could talk to him about any issues they had.

Councilor Georgia Newton thanked her husband for his support. This room was full of people that she considered her friends. She would work hard to do a good job, and wanted citizen input to help her make good decisions.

PRESENTATION: Mayor Prince said he appreciated serving with the Council. He presented Councilor Tallman with a plaque and thanked her for helping the City of Canby, though she had served only a short time on the Council.

Mayor Prince presented Councilor Daniels with a plaque. Councilor Daniels had been on the Council for a long time, since 1987. He always looked to Walt as the keeper of the rules of the Council. He thanked him also for being on the Budget Committee for so many years, serving as Council President, and for his devotion to the community. He appreciated everything Walt had done.

Mayor Prince presented Councilor Strong with a plaque. Mayor Prince said she had been the Council President for the last two years, had served on the Council since 1993, and she had given him advice and ideas on many issues. He appreciated her efforts and the time she had given for the City.

Councilor Blackwell presented Mayor Prince with a plaque on behalf of the Council in recognition and appreciation for his years of service with the City of Canby on the Budget Committee, Planning Commission, City Council, and as Mayor. She would remember him for his tenacity and for standing by what he believed.

Councilor Daniels thanked the citizens of Canby for allowing him to serve them for 4 terms. He thought it had been a team effort for what they had accomplished. He thanked his wife for her support throughout the years. He thought it was fitting as he left the Council as they approved the industrial area annexation which he had worked on for a number of years.

Councilor Tallman said this had been one of the most rewarding things she had done, both serving on the Planning Commission and on the Council. She was not through serving the City, she was just looking for her next opportunity.

Councilor Strong thanked the citizens for allowing her to serve. It had been an honor to represent them. Until a person walked in these shoes they couldn't appreciate all the Council did and the hours they put in. She thanked her husband for allowing her the time to serve. She congratulated the new Councilors and Mayor and wished them the very best.

Mayor Prince thanked the citizens for everything that they had done and the volunteers who helped the City in so many ways. He had enjoyed serving them, although at times it had been challenging. He was proud that this Council was responsible for adding 95 acres of new property for parks, for the proposed greenspace between Canby and Oregon City and Wilsonville, and the new neighborhood associations. He felt citizens should have input in their government, and hoped the next Council would listen to citizens. He thanked his wife and his two sons for supporting him during this time. He thanked Canby, and he hoped that someday he'd be able to help the community in other ways.

Mayor Prince adjourned the regular session at 8:06 p.m.

Chaunee F. Seifried

Chaunee F. Seifried
City Recorder pro tem

Melody Thompson

Melody Thompson
Mayor

Kim Scheafer

Prepared by Kim Scheafer
and Susan Wood
Office Specialists

**CANBY CITY COUNCIL
SPECIAL SESSION
January 8, 2003**

Mayor Melody Thompson presiding. Council members present: Paul Dawson, Georgia Newton, Patrick Johnson, Randy Carson, Wayne Oliver, and Teresa Blackwell.

Also present: City Administrator Mark Adcock, City Attorney John Kelley, Community Development and Planning Director John Williams, Library and Parks Director Beth Saul, Finance Director Chaunee Seifried, Finance Operations Manager Laura Dornbusch, Transit Director Margaret Yochem, Chief of Police Ken Pagano, Police Lieutenant Greg Kroeplin, Kim Scheafer, Marty Moretty, Judge Jon S. Henricksen, Steven Amick, Terry Tolls, Rodney Rose, Linda Finden, Craig Finden, Tom Scott, Wayne and Marlene Scott, Barry and Mary Lucas, Kari Clifford, Shelby Clifford, Lindsey Clifford, Ken Clifford, John and Virginia Molamphy, Ryan and Kerrie Oliver, Tony Clifford, Marlene Elmore, Buzz and Pat Weygandt, Tracy Clifford, Jamie Johnk, Matthew Olsen, Jeff Scott, Kay Lewelling, Bob Tice, Jerry Smith, Virginia Daniels, Jim Newton, Clarence Kaufman, Lisa Weygandt, Jill Marie Wiles, Randy Tessman, Curtis and Lila Gottman, Duane Weeks, Ken Perinchief, Betty Bush, Craig Lewelling, Roger Harris, Phil Dawson, Terry Prince, Shirley Strong, Walt Daniels and Jean Tallman.

Mayor Thompson called the special session to order at 8:14 p.m.

CITIZEN INPUT ON NON-AGENDA ITEMS: None.

NEW BUSINESS: Selection of Council President - Mayor Thompson said the new Council needed to appoint a Council President who would serve a two year term as per the City Charter.

****Councilor Newton moved to appoint Councilor Carson to the position of Council President. Motion was seconded by Councilor Dawson.**

Councilor Blackwell stated that Councilor Carson had been on the Council for a long time, and had the most experience and it was appropriate for him to serve in this capacity.

The motion passed 6-0.

Discussion regarding Goal Setting Workshop - Mayor Thompson said one of the major items on her campaign was setting a goal workshop for the new Council in which they could review and prioritize the items in the City that seemed to be most pressing. They needed to set up a meeting in January. Administrator Adcock proposed January 25 from 9 a.m. to 4 p.m. The Council agreed. He said they would send out more information when plans were finalized.

MANAGER'S REPORT: Administrator Adcock said he spoke for the entire staff in saying they were looking forward to a long and productive relationship with the new Mayor and Council.

COUNCILOR'S ISSUES: Councilor Carson congratulated the three new councilors, Georgia Newton, Wayne Oliver, and Paul Dawson and the new mayor, Melody Thompson. He was looking forward to working with Mayor Thompson during the next two years and the Councilors for the next four years. He thanked the audience for supporting the Council in the next four years.

Mayor Thompson said they had a Budget Committee meeting several weeks ago, and at that time they had talked about setting up another meeting. She wondered if they had a date for that yet. Administrator Adcock asked that they consider January 20 or 22 for the meeting. One of the things that he discussed with the Budget Committee was the situation with PERS. They had the opportunity to have their lobbyist come and explain exactly what the situation was with PERS and what she was doing on the City's behalf in Salem. She was available on those dates. The Council agreed to meet on January 20. Administrator Adcock said they would also be doing a presentation on the street maintenance crisis and gas tax situation that night.

Mayor Thompson said that in the previous Council meeting the Planning Commission appointment was not addressed, would that be done on January 15? Administrator Adcock said the process for selecting Planning Commissioners was slated for their meeting on January 15, and then after the process was discussed they could act on an appointment.

Councilor Carson asked that they move this item to the February 5, 2003 meeting as there was an EID public hearing at their next meeting which would take quite a bit of time. Administrator Adcock's recommendation was to discuss the process they wanted to use to select Planning Commissioners on the 15th. The Council agreed.

ACTION REVIEW:

1. Appointing Councilor Carson as Council President for the next two years.
2. Scheduling a Goal Setting Session for January 25.
3. Scheduling a Budget Committee meeting for January 20.

Mayor Thompson adjourned the special session at 8:25 p.m.

Chaune F. Seifried

Chaune F. Seifried
City Recorder pro tem

Melody Thompson

Melody Thompson
Mayor

Kim Scheafer

Prepared by Kim Scheafer
and Susan Wood
Office Specialists

**BEFORE THE CITY COUNCIL
OF THE
CITY OF CANBY**

A REQUEST TO ANNEX)	FINDINGS, CONCLUSIONS & FINAL ORDER
APPROXIMATELY 151 ACRES)	ANN 02-02
OF LAND INTO THE CITY OF)	(Industrial Area Association)
CANBY)	

NATURE OF APPLICATION

The applicants are requesting approval to annex approximately 151 acres into the City. The land is subject to the Industrial Area Master Plan, adopted by the City Council in September, 1998.

HEARINGS

The Planning Commission held a public hearing and considered this application at its meeting of December 12, 2002. The City Council held a public hearing and considered this application at its meeting of December 18, 2002.

CRITERIA AND STANDARDS

Section 16.84.040 of the Canby Municipal Code states that when reviewing a proposed annexation, the Council shall give ample consideration to the following:

1. Annexation shall be in keeping with prioritization categories, as designated on the adopted maps showing growth phasing (Urban Growth Element of the Comprehensive Plan).
2. Analysis of the "need" for additional property within the city limits shall be provided.
3. Smaller non-farm land shall be considered a priority for annexation over larger farm land;
4. Access shall be adequate to the site;
5. Adequate public facilities and services shall be available to service the potential (or proposed) development;
6. Compliance with other applicable city ordinances or policies;
7. Compliance of the application with the applicable sections of Oregon Revised Statutes Chapter 222. (In other words, a triple majority type application must contain proof that a triple majority does, in fact, exist, etc.);
8. Risk of natural hazards which might be expected to occur on the subject property shall be identified;

9. Urbanization of the subject property shall not have a significant adverse effect on specially designated open space, scenic, historic or natural resource areas;
10. Economic impacts which are likely to result from the annexation shall be evaluated in light of the social and physical impacts. The overall impact which is likely to result from the annexation and development shall not have a significant adverse effect on the economic, social and physical environment of the community, as a whole.

FINDINGS AND REASONS

The City Council deliberated on all input presented at the December 18, 2002 meeting, and incorporates the December 2 and 13, 2002 staff reports, public testimony, and Council deliberations as support for its decision. The City Council accepts the conclusions regarding the annexation criteria in the December 2 and 13, 2002 staff reports.

CONCLUSION

The City Council of the City of Canby concludes that based on the findings and conclusions contained in the December 2 and 13, 2002 staff reports, public testimony on December 18, 2002, and Council deliberations at the December 18, 2002 public hearing:

1. The land is designated as Priority "B" and "C" for annexation, but no priority "A" land designated for industrial development remains, therefore criteria #1 has been met.
2. A need for the properties included in this annexation has been demonstrated.
3. Since there are no smaller properties available for annexation and industrial development, this mix of small and large size parcels meets Criteria #3.
4. As demonstrated in the Industrial Area Master Plan, access is adequate to the site and will be further improved by future roadway development.
5. The City and other affected service-providing entities have the capability to provide the area of the proposed annexation with urban level services upon future development.
6. The annexation proposal is in compliance with other applicable City ordinances or policies.
7. The annexation proposal complies with all applicable sections of Oregon Revised Statutes.
8. No natural hazards have been identified on the subject properties.
9. The annexation itself will not impact designated open space, scenic, historic or natural resource areas. However, the design of future roadway projects could have a great impact on the two cemeteries in the Industrial Area. Protection of these cemeteries should be a priority in the future development of the Industrial Park.
10. The annexation and development of the subject properties will have many impacts on the economy and society of the City of Canby, both positive and negative. This subject is discussed in detail in Canby's Comprehensive Plan. The City Council concludes that overall the application will have a positive impact and Criteria #10 has been met.

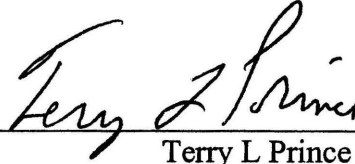
ORDER

THE CITY COUNCIL OF THE CITY OF CANBY APPROVES application ANN 02-02 and sends the application to the Canby Voters for a final decision with the following understandings:

1. Upon annexation, zoning of the subject properties will be Light Industrial (M-1), Heavy Industrial (M-2), and Commercial/Manufacturing (C/M), as described by the Comprehensive Plan and the 1998 Industrial Area Master Plan. All properties will also carry the Industrial Area Overlay Zone (I-O) designation.
2. All City and service provider regulations are to be adhered to at the time of connection of services and/or future development.
3. A detailed traffic study describing the impact of development in this area on Highway 99E or the City's street system not been completed. Such studies will be required as part of future development applications as required under the Municipal Code, and mitigation measures may be required as a condition of approval of those developments. Traffic studies will be completed based on full development of the industrial area as allowed in the Industrial Area Master Plan. The Oregon Department of Transportation will be given ample opportunity to comment during development applications.
4. Financing of public improvements in the Industrial Area will be provided by public and/or private sources, as agreed upon separately by the City and property owners. Requirements for additional public improvements may occur during the Site and Design Review process.
5. Any costs associated with the election not covered by the initial deposit shall be the responsibility of the applicant/property owner. The costs shall be payable upon receipt of an itemized billing from the City of Canby.

I CERTIFY THAT THIS ORDER APPROVING application ANN 02-02 and sending the application to the Canby Voters for a final decision was presented to and APPROVED by the City Council of the City of Canby.

DATED this 8th day of January, 2003.



Terry L Prince
Mayor



John R. Williams
Community Development & Planning Director

ATTEST:

ORAL DECISION - December 18, 2002

AYES: Strong, Daniels, Carson, Johnson, Blackwell, Tallman

NOES: None

ABSTAIN: None

ABSENT: None

WRITTEN FINDINGS - January 8, 2003

AYES: Strong, Daniels, Carson, Johnson, Blackwell & Tallman

NOES: None

ABSTAIN: None

ABSENT: None