

**CANBY CITY COUNCIL  
WORKSHOP  
September 17, 2003**

Present: Mayor Melody Thompson, Councilors Walt Daniels, Georgia Newton, Wayne Oliver, Pat Johnson, Randy Carson, and Teresa Blackwell, City Administrator Mark Adcock, Community Development and Planning Director John Williams, Jamie Johnk, Greg Jenks, Renate Mengelberg, Bev Doolittle, Craig Finden, Bob Trappe, Peggy Baker, Ryan Oliver, Cathi Davis, Vicki Adamson, Lisa Weygandt, Clackamas County Commissioner Martha Schrader, Steve Mayes and David Howell.

Mayor Thompson called the session to order at 6:11 p.m.

The Council met in workshop session to hear a presentation on economic development, partnerships and processes presented by Greg Jenks and Renate Mengelberg from Clackamas County.

Mayor Thompson adjourned the session at 7:25 p.m.

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**CANBY CITY COUNCIL  
REGULAR SESSION  
September 17, 2003**

Mayor Melody Thompson presiding. Council members present: Walt Daniels, Georgia Newton, Wayne Oliver, Pat Johnson, Randy Carson and Teresa Blackwell.

Also present: City Administrator Mark Adcock, City Attorney John Kelley, Community Development & Planning Director John Williams, Library & Parks Director Beth Saul, Office Specialist Valerie Kraxberger, Canby Fire Chief Ron Yarbrough, Irene Breshears, Maria Baker, Marlo Baker, Murray Taylor, Daniel Webb, Heidi Feely, Kim Wilmes, Michael Kissner, L.J. Thomas, Curtis and Lila Gottman, Dan Leischner, David Howell, and Ben Johnston.

Mayor Thompson called the regular session to order at 7:34 p.m., followed by the opening ceremonies.

**PRESENTATION:** Employee of the Month – City Administrator Adcock presented Parks Utility Maintenance Worker Ben Johnston with an Employee of the Month certificate along with a gift certificate.

**PROCLAMATIONS:**

Disability Employment Awareness Month – Mayor Thompson read a proclamation proclaiming October as Disability Employment Awareness Month.

POW/MIA Remembrance Day – Mayor Thompson read a proclamation proclaiming September 19, 2003 as POW/MIA Remembrance Day and presented the proclamation to Mr. Murry Taylor.

Mr. Taylor presented the Mayor with a flag. The Ladies Auxiliary president, Maria Baker, provided the Mayor and Council with remembrance postcards and poppies. Ms. Irene Breshears said this was a time to remember all the veterans, and the POWs and MIAs from World War II, Korea, Vietnam, Persian Gulf, and Iraq.

**CITIZEN INPUT ON NON-AGENDA ITEMS:** Daniel Webb, resident of 1864 N Redwood, Canby, represented concerned citizens regarding the approval of ANN 03-05. He voiced concerns on two levels. One was the fact that the Planning Commission's decision carried no weight and was only an opinion and that an appeal was not required for the application to be heard by the Council. The second was in the way in which the Council made the decision. He felt the Council did not take into consideration the direct impact of surrounding neighbors. There was no master plan for this area. They should take into account neighbors that were not in the City, but in the Urban Growth Boundary. They would like the Council to scrutinize applications and carefully consider impact on neighboring properties. Councilor Carson said they did review this application, and the final say was the voters of the City. Mr. Webb said they were not against annexation, but against annexations not done properly, and there was no master plan and livability would be affected. Mayor Thompson agreed that master planning was the way to go, but there were other issues that went into their decisions. Mr. Webb felt that Council was looking at the entire City and not the specific parcel and its effects. Councilor Johnson stated that there were a lot of checks and balances in the process. He suggested that if there were concerns, then they should come to meetings. Mr. Webb said recipients of the notices did not understand the annexation process. Councilor Johnson recommended that neighbors come to the design review meetings. Councilor Daniels said the place to talk about this was site and design review, the Council only reviewed the property for annexation. Councilor Blackwell thanked Mr. Webb for bringing his opinions to the Council, and recommended that citizens call City Hall for explanations.

Mike Kissner, resident of 824 N Holly St, Canby, was a member and former officer of the American Legion, Post 122, and involved with the scouts. He voiced concerns regarding the U.S. flag being carried behind the fire department in the last General Canby Day parade. It was usually carried behind a police escort. Councilor Blackwell, Council liaison to the General Canby Day Committee, said it was an unintentional mistake. Councilor Blackwell apologized on behalf of the Committee.

Kim Wilmes, resident of 29411 S Barlow Rd, Canby, and Heidi Feely, resident of 128 NE 12<sup>th</sup> Avenue, Canby spoke about Boy Scout Troop 505. She was concerned with the Kid's Corner/old fashioned games for General Canby Day that the Scouts took over. This year they found out that it would cost them to put it on and they were doing it as a fundraiser. They would like the Council to look into non-profit groups paying to participate in the celebration. They wanted the Council to decide what General Canby Day should become, a for-profit event or the Canby community event that it used to be. They were told the fee would be waived if they picked up all the garbage, but that was undoable for them. Councilor Blackwell said they were trying to figure out an equitable way for non-profits to be there and not pay, yet help in some manner. This year they decided to fix the rates for vendors and to charge everyone the same thing. They were trying to figure out a way to balance it by giving opportunities to waive the fees for non-profits, like the garbage pick up. They were trying to make the event self-

sustaining. Mayor Thompson suggested they work with the General Canby Day Committee. Councilor Carson suggested this be discussed at the next workshop with the General Canby Day Committee.

Dan Leischner, resident of 1341 N Maple St, Canby, represented the NE Canby Neighborhood Association. He read a letter, which stated that in a vote of 27-0 they were recommending to the Council that the area from the Logging Rd to 99E, including Territorial Rd, be considered for a master plan. The reason for this request was due to property currently being placed on the ballot on the east side of N Redwood, just south of NE 19<sup>th</sup> Loop.

Karl Hansen, Canby Utility Assistant General Manager, gave a report on the current City water situation. They made it through the dry spell, even though the water demand did not decrease after they asked for voluntary conservation. The water levels were back to normal.

Councilor Blackwell temporarily stepped away from the meeting.

**CONSENT AGENDA: \*\*Councilor Carson moved to approve the Minutes of the Workshop of August 27, 2003 and Regular Meeting of September 3, 2003; Accounts Payable of \$538,010.70; and a Quitclaim Deed for Vacation of Easement on SE 9<sup>th</sup> Avenue. Motion was seconded by Councilor Johnson and passed 5-0.**

**COMMUNICATIONS:** Canby Lions Club requested the use of the railroad parking lot at North First and Ivy from December 1-26 for their annual Christmas tree sales.

Councilor Carson asked that if they moved the transit center, he thought they would need the corner spaces for long-term parking. Mr. Williams said he did not think they were going to designate certain areas for it; they would just park as close as they could. Councilor Oliver said most of the long-term parking was down by the Tri-Met stop.

**\*\*Councilor Daniels moved to approve the request for use of the railroad parking lot for Christmas tree sales. Motion was seconded by Councilor Johnson and passed 5-0.**

Councilor Blackwell returned to the meeting.

**NEW BUSINESS:** None.

**UNFINISHED BUSINESS:** None.

**RESOLUTIONS & ORDINANCES:** Resolution 843 – Administrator Adcock said this resolution was needed for them to apply for federal funding to implement mitigation measures.

**\*\*Councilor Johnson moved to adopt Resolution 843, A RESOLUTION ADOPTING A NATURAL HAZARDS MITIGATION PLAN. Motion was seconded by Councilor Carson and passed 6-0.**

Mayor Thompson said that the City of Canby was the first to adopt such a plan. She asked why they were the first. Mr. Yarbrough said part of it was because they had a priority for emergency management, and they were resourceful in finding ways to fund issues they knew were going on in the community. There was a lot of support from the community. The goal was trying to take care of things before they happened.

**MANAGER'S REPORT:** Administrator Adcock said they would like to postpone the update on neighborhood associations, and substitute it with a report on a grant they had just received. Community Development and Planning Director John Williams said they received a grant to create a master plan for the far northeast side of Canby, on the east side of 99E behind the Spinning Wheel, south of Territorial, north of First Avenue, and west of Haines. As for the North Redwood area, it was a challenge because it was built out on one side, but the east side of the street they could look at it. The problems were funding and staff time. The Planning Commission had discussed annexation priorities and a master plan requirement might be included.

Councilor Newton questioned how citizens felt about master planning. Mr. Williams said there were always times when people did not want to be involved. Mayor Thompson suggested landowners be contacted to participate in master planning.

**CITIZEN INPUT:** None.

**COUNCILOR'S ISSUES:** Councilor Newton stated she was impressed with the Library Board and their idea for a needs assessment. She questioned if they had a timeframe for the needs assessment. Administrator Adcock said they had talked about a facilities master plan since it would be paid out of Urban Renewal funds, and they were going to focus on City Hall, the Police Department, and Library. Margaret Yochem was in the process of getting a consultant.

Councilor Daniels said he attended the Bike & Ped Committee meeting last week and staff was researching some issues that might come before the Council.

Councilor Carson participated in the third annual Constitution Day celebration in Oregon City. Three mayors and he read the names, and the Clackamas County Commissioners attended.

Councilor Carson said the Canby Utility Board passed their Water Master Plan, which would be coming to the Council soon.

Councilor Carson said the Urban Renewal Advisory Committee came up with a recommendation for the Agency of finishing Sequoia through to 4<sup>th</sup> Avenue. They needed to discuss this as the Agency. It was suggested scheduling the meeting for 8 p.m. on September 24 after the Parks & Recreation Board Workshop. Council agreed to meet at that time.

Councilor Johnson thanked staff and Council for their assistance and patience with his new work commitments.

Mayor Thompson questioned the monthly report under the Public Facilities and Services element of the Comprehensive Plan. Mr. Williams said that was separate from the actual buildings of the City.

**ACTION REVIEW:**

1. Approving the consent agenda.
2. Approving the Lions Club request for use of the railroad parking lot.
3. Approving Resolution 843.
4. Discussing neighborhood associations at the October 15 meeting.
5. Holding an Urban Renewal Agency meeting on September 24 at 8 p.m. following the Parks & Recreation Board workshop.

There was no executive session.

Mayor Thompson adjourned the session at 8:48 p.m.

*Chaunee F. Seifried*

Chaunee F. Seifried  
City Recorder pro tem

*Melody Thompson*

Melody Thompson  
Mayor

*Valerie Kraxberger*

Prepared by Valerie Kraxberger  
and Susan Wood Office Specialists

## Quitclaim deed

Reserved for Deed Records Use

By this instrument the **CITY OF CANBY, a municipal corporation**, 182 North Holly, Canby, Oregon, GRANTOR, releases and quitclaims to **BRUCE W. MARTIN**, GRANTEE, all right, title, and interest in and to the following described real property situated in the County of Clackamas and the State of Oregon, and more particularly described as follows:

**See attached Exhibit "A"**  
**( two pages )**

The true consideration for this conveyance is other non-monetary consideration.

Dated this 17<sup>th</sup> day of September, 2003

GRANTOR:

CITY OF CANBY, A MUNICIPAL CORPORATION

Melody Thompson

Melody Thompson

Mayor, City of Canby (print name)

STATE OF OREGON

County of CLACKAMAS

This was acknowledged before me on Sept. 17, 2003

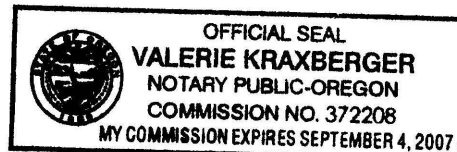
By Melody Thompson, acknowledging said instrument to be his/her voluntary act and deed.

Valerie Kraxberger

Notary Public for Oregon

9/4/07

My commission expires:



After recording return to: **Bruce W. Martin, 465 S. Pine Street, Canby, Oregon 97013**

August 25, 2003

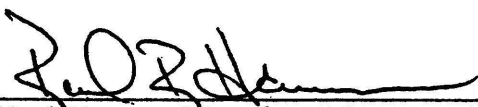

To whom it may concern:

Lot 7 South Redwood Estates has a 12 foot public easement interior to the previous property line on the south side of SE 9<sup>th</sup> Avenue, City of Canby. The property line for lot 7 was amended by vacating of the property under City of Canby Ordinance No.1112, January 8, 2003. The property transfer by Ordinance was recorded at Clackamas County, but the public easement presently still follows the old property line (which followed a previous emergency vehicle turnaround on the south side of SE 9<sup>th</sup> Avenue vacated by Ordinance No.1112).

We hereby vacate the 12 foot easement as no longer necessary since a new 12 foot easement was created along the new property line south of SE 9<sup>th</sup> Avenue established by the property vacation of City of Canby Ordinance No.1112, and, there are no existing facilities within the easement to be vacated.

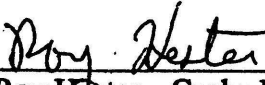
(See copy of attached Ordinance No.1112 and legal description/drawing).

This agreement is transferable to future property owners.

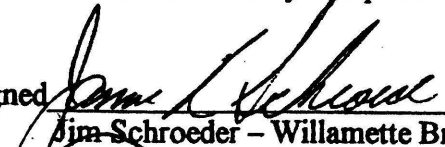
Signed   
Karl Hansen, ~~Operations Manager~~ - Canby Utility Board - Assistant General Manager 

Signed N/A  
Pat Thurston - Canby Utility Water Dept.

Signed N/A  
Gary Stockwell - Canby Utility Electric Dept.

Signed  25 Aug 03  
Roy Hester - Canby Public Works Dept.

Signed  8-25-03  
Don Bush - Canby Telephone Association

Signed  8/26/03  
Jim Schroeder - Willamette Broadband

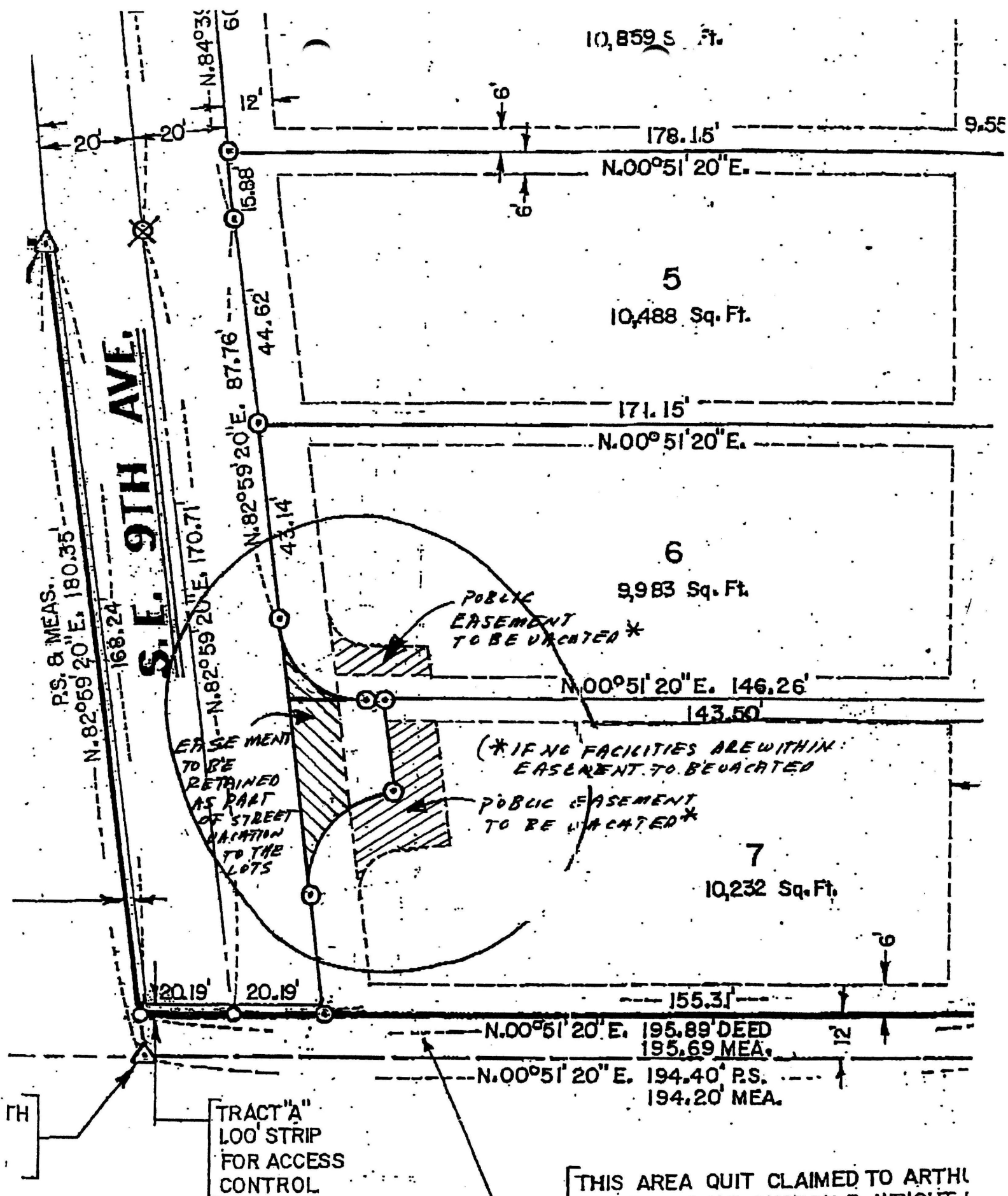
Signed  8-26-03  
Lee Larsen - Northwest Natural Gas Co.

RECEIVED

AUG 29 2003

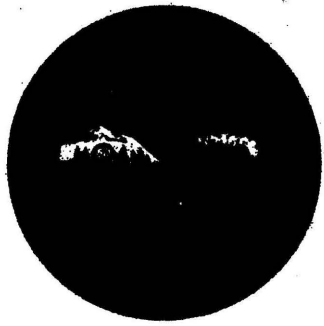
CITY OF CANBY





THIS AREA QUIT CLAIMED TO ARTHUR A. WRIGHT AND SHARON R. WRIGHT BY INSTRUMENT NO. 94-33147 AS PART OF PROPERTY LINE ADJUSTMENT, CITY OF CANBY FILE NO. LLA 94-02





# Proclamation

OFFICE OF THE MAYOR

## **"DISABILITY EMPLOYMENT AWARENESS MONTH"**

**Whereas**, this country has prided itself on advancing the civil rights of individuals and central to that philosophy are the precepts of equality, individual dignity and self-reliance; and

**Whereas**, in keeping with that tradition, the U.S. Congress, in 1990, enacted the Americans With Disabilities Act, landmark legislation prohibiting discrimination against people with disabilities in employment, public accommodations, transportation and telecommunications; and

**Whereas**, October has been designated by Congressional Resolution as "National Disability Awareness Month" and, by way of this proclamation, the City of Canby supports this Congressional Resolution as well as the spirit and letter of the law to assure that all citizens with disabilities are fully included in our social, cultural and economic mainstream.

**Now therefore**, I, Melody Thompson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim the month of October as

## **DISABILITY EMPLOYMENT AWARENESS MONTH**

and urge its observance by all our citizens.

Given unto my hand this 17th day of September, 2003.

Melody Thompson  
Mayor



# Proclamation

OFFICE OF THE MAYOR

## **"POW / MIA REMEMBRANCE DAY"**

**Whereas**, over 2,060 Americans are still missing and unaccounted for from the Vietnam War, and their families, friends and fellow veterans still endure uncertainty concerning their fate; and

**Whereas**, U.S. Government intelligence and other evidence indicates that Vietnam, Laos and Cambodia, while supporting U.S. accounting efforts, could provide additional information on unaccounted-for Americans, particularly those held in captivity, by unilaterally locating and returning identifiable remains and providing archival records to answer other discrepancies; and

**Whereas**, the President has normalized relations with Vietnam, expressing his belief that such actions would generate increased accounting for Americans still missing from the Vietnam War, and such increased results have not yet materialized.

**Now, therefore**, I, Melody Thompson, by virtue of the authority vested in me as Mayor of the City of Canby, do hereby proclaim September 19, 2003 as

## **POW / MIA REMEMBRANCE DAY**

and urge all citizens of the City of Canby to proudly remember the sacrifices of those men and women still unaccounted for from all wars on this special day.

Given unto my hand this 17<sup>th</sup> day of September, 2003.

Melody Thompson  
Mayor