

**CANBY CITY COUNCIL
WORK SESSION MINUTES
May 15, 2024**

PRESIDING: Brian Hodson.

COUNCIL PRESENT: Scott Sasse, James Davis, Traci Hensley, and Daniel Stearns. Jason Padden attended virtually.

COUNCIL ABSENT: Herman Maldonado.

STAFF PRESENT: Eileen Stein, City Administrator; Maya Benham, Administrative Director/ City Recorder; Teresa Ridgley, Deputy City Recorder; Todd Wood, Transit/Fleet/IT Director, Jerry Nelzen, Public Works Director; Don Hardy, Planning Director; Monica Stone, Wastewater Treatment Plant Supervisor; Patrick Mahoney, Wastewater Treatment Plant Operator III; and Mark Vogel, Wastewater Treatment Plant Operator I.

CALL TO ORDER: Mayor Hodson called the Work Session to order at 6:07 p.m.

HOUSING PRODUCTION STRATEGY DISCUSSION: Don Hardy, Planning Director, introduced Tim Wood, FCS Group, and three people attending virtually: Todd Chase, FCS Group, Steve Faust, 3J Consulting, and Kelley Reid, DLCD. Mr. Chase gave a presentation on the Canby Housing Needs Analysis and Housing Production Strategy update. Topics covered were buildable land inventory, housing needs, Urban Growth Boundary (UGB) sufficiency analysis, housing efficiency measures, and housing production strategy.

Mr. Chase said Canby's UGB had 221 acres of buildable residential land and there were 65 acres in the construction pipeline. The majority of the buildable land inventory was in the partially vacant category with existing structures, requiring subdivision. Home values had declined since 2022. Canby median home price was around \$562,000 with an annual home value increase of 8% over the last 5 years. Rental rates tended to increase with CPI. Affordability of housing was based on County income levels and household size. Median family incomes in Clackamas County increased to \$88,517 in 2021 up from \$80,484 in 2019. Severely rent-burdened households occurred when renter households paid over half their annual income on housing. It had increased to 29% in Canby in 2022 from 17% in 2019. There was pent up demand for more affordable rental units. The overall housing need was for 2,286 new dwellings, including 500 units of low-income. The pipeline included 412 units. The housing mix was trending towards smaller units and rentals.

Mr. Chase then discussed the UGB sufficiency findings for Scenario A which included neighborhood parks in the land needs. This showed a UGB deficiency of 75.6 acres. Scenario B was a net adjustment that excluded parks and showed a deficiency of 74.3 acres. The consultants and staff recommended adoption of Scenario B that resulted in up to 74.3 buildable acres of additional residential land. This would be a plan for a wide mix of housing: low density - 21.8 acres for standard single-family homes and 32.7 acres for smaller lot "cottage" homes, medium density - 10.3 acres for townhomes and plexes, and high density - 9.5 acres for apartments and structures with 5 or more units.

Mr. Hardy discussed the next steps in the process. He then reviewed the efficiency measures and production strategies. The City intended to pursue the following land efficiency measures: Planned Unit Development code update, creation of cottage development ordinance, and creation of mixed-use overlay or zone along 99E corridor for commercial zones. The Housing Production Strategies included developing a process for identifying land to upzone for middle housing, allowing cottage clusters in residential development, identifying opportunities to streamline PUDs, incentives to encourage development in PUDs, modifying SDC fee schedule and scale SDCs based on home size, infill development education, land use permitting education for property owners/developers, amending commercial zoning to allow mixed-use housing, reducing lot sizes, increasing building heights, updating residential zone codes, updating design standards, preserving naturally occurring affordable housing, and partnership with Clackamas County. DLCD provided a review of the draft Housing Production Strategy in January including recommendations to focus on several updates to the strategies, addressing housing needs based on stakeholder input and identified HNA needs, and the new text had been added throughout the Housing production Strategy document and would be reviewed during the hearing process. He then discussed potential adjustments to existing strategies and potential new strategies.

There was discussion regarding infill in town, adding an adjustment process, community planning sessions, location for the UGB expansion, PUDs, housing mix, upzoning land to fulfill the need, accuracy of the income numbers, action steps for the strategies, ADUs, adding residential zones, changes to current residential zones, variety of housing types that would fit Canby, improving infrastructure, transportation and parking, complete streets, and emergency vehicle accessibility.

There was consensus to move forward with staff's recommendation for Scenario B.

ADJOURN: Mayor Hodson adjourned the Work Session at 7:00 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
May 15, 2024**

PRESIDING: Brian Hodson.

COUNCIL PRESENT: Scott Sasse, James Davis, Traci Hensley, and Daniel Stearns. Jason Padden attended virtually.

COUNCIL ABSENT: Herman Maldonado

STAFF PRESENT: Eileen Stein, City Administrator; Maya Benham, Administrative Director/ City Recorder; Teresa Ridgley, Deputy City Recorder; Todd Wood, Transit/Fleet/IT Director, Jerry Nelzen, Public Works Director; Don Hardy, Planning Director; Monica Stone, Wastewater Treatment Plant Supervisor; Patrick Mahoney, Wastewater Treatment Plant Operator III; and Mark Vogel, Wastewater Treatment Plant Operator I; and Scott Schlag, Finance Director.

CALL TO ORDER: Mayor Hodson called the meeting to order at 7:06 p.m.

NEW EMPLOYEE INTRODUCTIONS: Monica Stone, Wastewater Treatment Plant Supervisor, introduced Patrick Mahoney, Wastewater Treatment Plant Operator III, and Mark Vogel, Wastewater Treatment Plant Operator I.

CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS: Aimee Vidan, Canby resident, discussed a request that the City declare June 2024 as Pride Month. They had heard no response until the night prior with a denial of their request. As a representative of Canby Pride, she read the proclamation and invited LGBTQ members and allies to join them at the annual Pride Celebration at Wait Park on Sunday, June 23, from noon to 4:00 p.m.

Kristi Smith, Canby resident, served on the Library Advisory Board and the Suicide Task Force and was the founder and board president of Canby Pride. She worked to promote inclusivity and acceptance as well as visibility of the LGBTQ community in Canby. She had encountered challenges to secure City support for important initiatives to make Canby a safe community for all and declaring proclamations that would show Canby was a welcoming community. She had repeatedly requested meeting with the Mayor to discuss differences and find common ground.

Mayor Hodson responded he would meet with Kristi at another coffee session and would be in touch this week.

Audrey Barnett, Canby resident, was a community member part of #dontmesswithourkids, commended the Mayor on standing his post. She expressed her desire to be a watchman over her children and all children. She thought it was the responsibility of the community to stand up and protect vulnerable children. Silence was not safe, and it was important to protect children from adult sexual identification or preference.

Celesta Graves, Canby resident, gave her three minutes to Kristi Smith.

Ms. Smith explained why proclamations recognizing those who were marginalized were vital to the community. Leaders should be at the forefront of elevating all members of their community. She thought if the Council did not wish to celebrate them, to state it. If the Council did wish to celebrate, then they should reconsider issuing proclamations. Being acknowledged and recognized by proclamation would be a significant step showing that Canby was an inclusive and welcoming place for everyone.

Dan Tewes, Oregon City resident, thought a proclamation for Pride Month would set a precedent for other groups to request the same thing.

Carlos Montes, Canby resident, spoke about his own experience growing up homeless and now owning a business with a good income and a family. He didn't think a proclamation would make people feel accepted, wanted, represented, or safe.

CONSENT AGENDA: ****Council President Hensley moved to approve the minutes of the February 16 and March 13, 2024, City Council and Urban Renewal Agency Special Meetings, appointment of Hanna Ellison to the Heritage and Landmark Commission with**

a term ending June 30, 2026, and appointment of Ron LeBlanc to the Heritage and Landmark Commission with a term ending June 30, 2025. Motion was seconded by Councilor Davis and passed 5-0.

ORDINANCES & RESOLUTIONS: Ordinance 1620 –

****Councilor Davis moved to adopt Ordinance 1620, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CONTRACT WITH FIRST TRANSIT INC. OF CHICAGO, IL, TO PROVIDE SERVICES FOR AN ADDITIONAL THREE YEARS. Motion was seconded by Councilor Sasse and passed 5-0 by roll call vote.**

Ordinance 1621 – Ms. Stone said the City had a contract with Heard Farms for the past 10 years to turn sludge into beneficial reuse biosolids to grow hay and grass. The current contract expired June 30. They had requested quotes and received two. Heard Farms was the lower bidder. Staff recommended using Heard Farms in this capacity and to sign a one-year contract for these services. The price went up to \$105/ton from \$82/ton due to increases in fuel charges and wages.

****Council President Hensley moved to adopt Ordinance 1621, AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH HEARD FARMS FOR REMOVAL OF WASTEWATER SLUDGE to come up for second reading on June 5, 2024. Motion was seconded by Councilor Davis and passed 5-0 on first reading.**

Ordinance 1622 – Jerry Nelzen, Public Works Director, said this was the annual street maintenance contract with a portion to be reimbursed from the Urban Renewal Agency for the alleyway project. The contract came in under budget.

Spencer Polack, Public Works Lead, shared details of the street maintenance projects.

There was discussion regarding how the slurry seal was the best application for the downtown area and the alleyways that would be done.

****Councilor Davis moved to adopt Ordinance 1622, AN ORDINANCE AWARDING THE CONSTRUCTION CONTRACT WITH EAGLE-ELSNER INC, IN THE AMOUNT OF \$1,120,120.00 FOR THE CONSTRUCTION OF THE 2024 STREET MAINTENANCE AND URBAN RENEWAL AGENCY IMPROVEMENTS PROJECT to come up for second reading on June 5, 2024. Motion was seconded by Council President Hensley and passed 5-0.**

Resolution 1405 – Chris Wright, Canby Disposal, discussed issues that were brought up last year including winter weather affecting service and phone lines that were not being answered promptly. He thought they handled the weather better this year and had hired two full-time customer service representatives for a total of six. Current hold times were consistently under two minutes. They were active in the community and supported several organizations. One enhanced service they were offering was recycling batteries at the curb. He explained the reasons for the rate increase. Other refuse companies were increasing rates by 10-12%, which was three times higher than Canby Disposal was requesting.

Council President Hensley asked about any recent complaints. Ms. Stein wasn't aware of any complaints received. Staff had regular meetings with Canby Disposal which helped alleviate the issues experienced previously.

Councilor Sasse said the service was getting better.

Councilor Davis thought there had been a huge improvement with their community involvement and customer service. He also mentioned their success with the shred day.

Councilor Stearns noted it was an increase of 4.25% for residential, 4.27% for commercial, and 3.37% for drop boxes.

****Councilor Sasse moved to approve Resolution 1405, A RESOLUTION AUTHORIZING A RATE INCREASE AND ESTABLISHING A NEW RATE SCHEDULE FOR GARBAGE COLLECTION BY CANBY DISPOSAL WITHIN THE CITY OF CANBY. Motion seconded by Councilor Davis and passed 5-0.**

Resolution 1406 – David Doughman, City Attorney, said this resolution did not fully restore recreational immunity, but restored it with respect to trails, walkways, and staircases. It required the City to opt-in to that immunity. Parks and open spaces would not be included.

Ms. Stein mentioned cities with populations over 500,000 were exempt from this, but smaller cities required the adoption of the resolution.

Councilor Stearns asked what the limit of the liability was. Mr. Doughman responded state law said that if the public was allowed to come on to land to recreate without fees, whether it was private landowners or cities, the property owner would not be liable for the injury.

****Councilor Sasse moved to approve Resolution 1406, A RESOLUTION OF THE CITY OF CANBY ADOPTING THE LIMITATION OF LIABILITY FOR CERTAIN CLAIMS ARISING FROM THE USE OF TRAILS OR STRUCTURES WITHIN PUBLIC EASEMENTS AND UNIMPROVED RIGHTS-OF-WAY PURSUANT TO ORS 105.668. Motion seconded by Councilor Davis and passed 5-0.**

OLD BUSINESS: City Attorney Recruitment – Ms. Stein said an RFP would be issued for an outside law firm.

Council President Hensley and Councilor Davis wanted to stay with the current firm.

Mr. Doughman stated the way the City rules were written, it required an RFP.

Councilor Davis would like to see the RFP before it went out, how the proposals were going to be evaluated, and who evaluated the proposals.

MAYOR'S BUSINESS: Mayor Hodson said there would be no Clackamas County Coordinating Committee meeting in June because of the retreat, and the July meeting was cancelled due to Independence Day. At the retreat there would be a discussion about

transportation and housing. The City placed a time capsule in the arch on Grant Street two weeks ago. He thanked Canby Tourism, Canby Public Works, and the Heritage and Landmark Commission for making that happen. He was on the Metro Mayors Consortium subcommittee on transportation, which was looking ahead to legislative sessions in 2025 and 2026 regarding other options than tolling to take to the legislature. Any input from Council was welcomed. Some things being considered were a gas tax, charges based on vehicle miles traveled, increased registration on all vehicles, increasing registration on electric vehicles and hybrids only, and pressing the legislature on the budgeting process for projects. Many from Metro Mayors thought the kicker everyone received from the state could have been better allocated toward highway and bridge projects. Another subcommittee in which he participated was housing. The Governor's goal was to establish 36,000 new dwellings each year in the state. For Canby, that would mean 144 plus dwellings per year.

COUNCILOR COMMENTS & LIAISON REPORTS:

Council President Hensley thanked the Mayor for being steadfast on the decision to keep a limited scope on proclamations. By not acknowledging one group over another was innately inclusivity. She thanked Bob Cambra for his service on the Traffic Safety Commission. He had resigned and that left an opening. Eccles Principal Kelley Rogers received the CARE Award. The high school choir won the 5A State Championship for the second year in a row. The band placed third in their state finish. The lacrosse team defeated West Linn, which was the first time in school history. The baseball team was currently second in state rankings. She mentioned the third grader trip who picnicked in the park and were bussed all through town to the Library, the Police Department, and Public Works, who brought out equipment for the kids to climb on and honk horns. She also attended a Zoom meeting with French Prairie Forum.

Councilor Padden attended the Time Capsule interment into the arch and the tree planting near the old City Hall, chatted with the ODOT at the Library Fair, went to First Thursday, and attended the Chamber Luncheon. The purpose of a proclamation was to call out a particular group or activity to put them in the spotlight. It was the Council's job to listen to all members of the community.

Council President Hensley asked about the protocol for Council in answering emails addressed to the whole Council. Mayor Hodson clarified the protocol had been when questions were policy or procedural, it fell to the Mayor to answer.

Councilor Davis attended the prayer breakfast at Cutsforth's, the funeral of Mike Zagyva, time capsule event, and First Thursday. He reminded everyone the Budget Committee meeting was tomorrow night. He inquired about the Maple Street Park contract and if it was signed so construction could start on July 1.

Mr. Doughman responded the contract was through a cooperative procurement, meaning the bid and procurement process has been done by another agency, and there had been difficulty getting the documents needed. He hoped to get the documents for signature next week.

Councilor Davis said the Dodds Farm design was underway. Public Works did a great job getting the concrete ready to go at Legacy Park. The projects for this year's budget with Parks and

Recreation included Dodds Farm, Maple Street Park improvements, and Wait Park Master Plan. A dog park was not addressed for the 24/25 budget. It was a priority, but the design would be around Walnut Street and didn't make sense to put money into next year's budget. Fireworks were taken care of this year, and they were working on the down payment for next year. Chief Austin and Jamie Stickel, Economic Development Director, were working on a potential city grant for the fireworks. He didn't think they were ready to move on the IT contract without a Work Session. He questioned if the Council had to approve putting a contract for IT out to RFP.

Mr. Doughman said the Council did not need to provide direction for staff to go out for an RFP. This contract had already gone through the process and staff had followed the current policy. There could be more discussion regarding the procurement process.

Councilor Davis did not know who evaluated the proposals and thought it was public record. He asked for a Work Session before making any decisions.

Councilor Padden was fine with the process that had been done.

Mr. Doughman noted the City had not awarded a contract yet. It would come before Council at the next meeting.

There was discussion regarding whether or not to hold a Work Session, setting a precedent for Council to dig into contracts, special interest in this proposal and showing bias, and evaluation of the bids.

Mayor Hodson stated Mr. Doughman clarified that the RFP was done according to procurement rules, so the IT contract would be presented at the next Council meeting. He would work with Ms. Stein to schedule a Work Session to review the procurement process.

Councilor Sasse attended the Heritage and Landmark Commission meeting. There was a reconnaissance level survey done with a grant through the state to help identify historic buildings in the City and 53 new resources had been identified. The final report would be done June 28. They decided to change the meetings to every other month.

CITY ADMINISTRATOR'S BUSINESS: Eileen Stein, City Administrator, said there were still vacancies on advisory boards and committees. She asked Council to hold open June 12 for the adoption of the budget. She attended a Kiwanis meeting regarding specific needs of children in the community. There was a meeting to receive a Cogeo status report. She sent the Council an invitation to a Public Contracting 201 Workshop being held by Beery Elsner on May 29. She and some of the Directors were going to attend. There was a Bridging Cultures Luncheon on Saturday at 11:30. She held a Budget Committee training last night.

Mayor Hodson asked about a timeline for ADA ramps that would need to be done downtown. Mr. Polack said they did ramps whenever there was new asphalt being replaced. Mr. Nelzen said the last ones to be finished were First Street and Second Street all the way down to Elm.

Mayor Hodson said there was interest from a hotel group and asked Ms. Stein about having an executive conversation. Ms. Stein responded it could be in June.

CITIZEN INPUT: Linda Tate, Canby resident, apologized about the disturbance in Council Chambers and expressed her concern about safety of the LGBTQ community who came to the meeting tonight.

ACTION REVIEW:

1. Approved the consent agenda.
2. Adopted Ordinance 1620.
3. Approved Ordinance 1621 to a second reading on June 5, 2024.
4. Approved Ordinance 1622 to a second reading on June 5, 2024.
5. Approved Resolution 1405.
6. Approved Resolution 1406.
7. Approved staff to move forward with an RFP for the City Attorney contract.

Mayor Hodson adjourned the Regular Meeting at 9:19 p.m.



Maya Benham, CMC
City Recorder



Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood