

**CANBY CITY COUNCIL
SPECIAL MEETING MINUTES
October 26, 2016**

Presiding: Mayor Brian Hodson.

Council Present: Greg Parker, Traci Hensley, Tim Dale, Tracie Heidt and Clint Coleman. Councilor Todd Rocha was absent.

Staff Present: Amanda Zeiber, Asst. City Administrator/HR Director and Joseph Lindsay, City Attorney.

Others Present: Shawn Varwig, Jason Padden, Tyler Smith, Irene Konev, Monica Custer, Lois Brooks, Linda Warwick, John Warwick, Philip Groelz, John Savory, Bob Backstrom, Sarah Spoon, Chris Calkins, Bill Fenton, Karyn Fenton, Phillis Stuart, John Serlet, Pamela White, Kathy Shinn, Walt Daniels, Tony Crawford, Alma Valdez, Kathleen Myron, and Joekaya Rubio.

CALL TO ORDER: Mayor Hodson called the Special Meeting to order at 6:00 p.m. in the Council Chambers followed by opening ceremonies.

Councilor Heidt had heard a lot of public outcry about the decision to make this appointment. There were letters in the *Canby Herald*, more letters received at the City, and people testified at the Council meeting, all in opposition to the appointment. Most people wanted to wait until after the election before a decision was made and she thought was a wise choice. There was no timeline in the Charter for making the appointment and doing it after November 8 would still follow the Charter, would allow them to listen to citizens, and they would know the results of the election and might want to choose the fourth vote getter. She discussed the Council's values and goals and how they wanted to inspire public confidence and trust. Delaying this decision was a way to show they were being accountable and trustworthy. They did not want to make a poor decision or appear to be rushing.

****Councilor Heidt moved to postpone the application and interview process until after the results of the November 8 election. There was no second of the motion.**

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Lois Brooks, Canby resident, was a retired human resources executive. There was no policy, process, or procedure that did not require the application of good judgment and common sense. If the appointment was not delayed until after the election it showed a lack of good judgment and common sense. The people needed to be heard.

John Savory, Canby resident, was in favor of the Council's current course of action as it was what had been done in the past. They should follow the rules and procedures and not a handful of vocal people who wanted to bend the rules to their own benefit.

Bob Backstrom, Canby resident, thought the Council had shown themselves to be open and inclusive by allowing citizens to vote on important decisions such as marijuana and the new library/civic center building. For everyone who was there that night trying to change the procedure, there were twice as many people at home who wanted them to continue with the established procedure. The right thing to do was to hold the process separately from the election and choose the most qualified person. It was conjecture to think they might find a better candidate because they ran for office.

Bill Fenton, Canby resident, said Mayor Hodson had championed the citizens' right to vote on matters pertaining to the community, such as the library/civic building. Now the Mayor and certain members of the Council were demonstrating a complete disregard for the wishes of those same voters. There was a precedent for how the Council appointed vacancies, but this was a unique situation as the appointment would take place in less than two weeks before the November election. The election had the potential to change the face of the City Council. He thought the Council was afraid of losing the majority of those who shared the same views. Ethics and the will of the people should come first. He asked the Council to delay the appointment and to let the voters participate in this important process.

Karyn Fenton, Canby resident, thought the Council should not make the appointment until after the election. It put those who were on the ballot and interviewing for the vacancy in an awkward position of being interviewed by and voted on by the people they were campaigning against. She did not think it was fair or equitable. The voters should have their say and the decision should be clear and without bias.

Pamela White, Canby resident, had not heard back from the County Clerk regarding this issue and she had the choice to contact the Secretary of State or file an injunction. She thought the Council was making a mistake and not following the Charter. She thought if they appointed someone before the election, they would only serve until January 2017. If they waited until after the election, they could serve until January 2019.

Kathy Shin, Canby resident, said there was a perception that some members of the Council and Mayor would like to retain a voting block that favored a particular political point of view. These were bipartisan positions and it was important to have broad representation. She urged the Council to select a candidate who represented our diverse community and was willing to represent all.

NEW BUSINESS: City Councilor Applicant Interviews and Selection – Mayor Hodson said the Council would be interviewing Tyler Smith, Joekaya Rubio, Jason Padden, Shawn Varwig, and Irene Konev. Each candidate had been given the interview questions in advance and Council would use those questions and other questions they might have from the candidates' applications. After the interviews, the candidates would be narrowed down to the top two and the Council would choose the final one. He thanked all of those who had applied.

Tyler Smith had been serving the City for five years on the Planning Commission. He wanted to serve because that was who he was and he believed that to whom much had been given much was expected. He was serious and worked hard and would be happy to fill the vacancy if he was appointed. He grew up in a town smaller than Canby and grew up modestly. He had worked hard for what he had. He did not think his involvement in a political party and volunteering in many places was a negative attribute. They had seen how he conducted meetings, dealt with constituents, and how he interacted with the public. He was married with two children, was a former military man, and went to school at University of Oregon and Willamette College of Law. One of his hobbies was coaching his kids' sports and his law firm helped non-profits and charities. He started his law firm in 2007 in Canby and lived in Hubbard where he was a Planning Commissioner and then a City Councilor. He moved to Canby because he loved the community. The time commitment was not an issue for him as it would be less of a time commitment he had now with the Republican Party and non-profits. He would be happy to serve with whoever was elected to the Council. He would be willing to run for a Council seat in November 2018. The most pressing issues facing Canby were how they would deal with growth, especially as it related to housing needs, transportation, and redevelopment of downtown. Regarding problem solving and dealing with crisis, as an attorney, most people who came into the office were in crisis mode. He was helping them get through serious things happening in their lives. Problem solving was what he did all day long. He

looked at issues from every angle, looked for answers outside of the box, and worked to solve the source of the problem. He would like to continue the good work the Council was doing. He was not looking to shift the balance of power, but wanted to serve in his own community. He would like to instill trust and confidence in the public by being open and honest and not just saying what people wanted to hear. He knew the types of decisions the Council would need to make and he was ready to step into the role. He was a proven servant to the City and he looked for solutions and compromises to problems.

Mayor Hodson asked if he could put party dogma aside and make decisions for what was best for the City.

Mr. Smith thought party dogma would not play into any City business. He wanted to serve in his home community while his kids were young.

Mayor Hodson asked what Mr. Smith had done in the last 60 days to be prepared to step into this role. Mr. Smith had attended the last few Council meetings and read the minutes. He did not go to the last Council meeting due to the controversy. He also read information online on issues he was not familiar with.

Councilor Parker asked about his respect for diversity due to one of his famous cases.

Mr. Smith said he respected diversity and thought everyone was made in the image of God. He treated everyone based on their merits.

Councilor Dale asked about comments people said that Mr. Smith made saying he was a lock for the appointment because of who he knew on Council.

Mr. Smith said he had not said that; it was a rumor.

Councilor Heidt asked about his attendance on the Planning Commission and why he had missed so many meetings.

Mr. Smith explained when he took the role as Vice Chair of the Republican Party he was going to step down from the Planning Commission, but was asked to stay on due to the vacancies already on the Commission. He missed about half of the meetings since then, and he had told the City when the other vacancies were filled he would resign from the Planning Commission. Those positions had just recently been filled. His term as Vice Chair of the Republican Party was coming to an end and he was planning to resume his duties on the Commission.

Councilor Heidt asked if he would use the Council as a platform for the message he broadcasted in his other non-profit groups.

Mr. Smith said it would be a much smaller platform to broadcast a message from and it would not be a concern. It was not a part of fixing sidewalks or other City issues. He was not looking to run for higher offices.

Councilor Coleman asked if Mr. Smith had ideas for bringing County roads into City jurisdiction and how he felt about tourism.

Mr. Smith answered tourism was an important part of Canby with the County Fairgrounds in the City and when the Willamette Falls Legacy Project was built it would bring more people to the City. He thought they could utilize the waterfront in Canby for tourism as well. The County was resistant to turning roads over to cities and it would require showing how the City would fund the maintenance as well as the County did. He did not have all the answers for transportation.

Joekaya Rubio was born and raised in Los Angeles, lived in Mexico for two years, and later joined the army. He became a mechanic and then a nurse. He became a resident of Oregon in 2003. His passion was being a bridge for people who did not speak certain languages and try to educate them on issues they might have. He coached Little League for ten years and sat on the board. During that time two City Councilors were on the board and he got to hear the day to day activities and issues. Communication seemed to be one of the common issues. Four of his five kids were adults, and he had one child left at home. He thought the sense of community and family in Canby was special and he would like to be a part of that.

Mayor Hodson asked if Mr. Rubio would consider running in the November 2018 election.

Mr. Rubio thought he would, as it was a privilege to help the City. It was fun to work with a group of people to tackle issues together.

Mayor Hodson asked what he thought were the most pressing issues for Canby.

Mr. Rubio said communication was lacking, zero based budgeting was the way to go, as well as partnering with businesses.

Mayor Hodson asked about a situation where he had to deal with someone who was upset and how the conflict was resolved.

Mr. Rubio said there was a tournament and people were yelling obscenities at the umpires. His team had to forfeit the game and he had to explain to them the reason they were there was for the kids and explained the process for getting rid of the umpires. Once they understood how their concerns would be addressed and what their behavior was causing, the situation was diffused.

Mayor Hodson asked if he had a goal or improvement to make as a Councilor.

Mr. Rubio said communication, especially with minorities. There was no Hispanic representation on the Council.

Councilor Heidt asked how he would improve communication with minorities.

Mr. Rubio answered they could make themselves available one day a week for people to come and discuss issues or give phone numbers out instead of emails. The Council could attend events throughout the City where Hispanic people were and ask for opinions on issues. There could be better marketing by using CTV5, Facebook, social media, and electronic bulletin boards.

Councilor Hensley asked what he had done in the last 60 days to prepare himself to become a Councilor.

Mr. Rubio said he had researched some of the recent issues the Council was dealing with, the budget, and how he could bring a different viewpoint and new ideas to the Council.

Councilor Dale asked how the Hispanic community was being underserved.

Mr. Rubio thought there needed to be a Hispanic City Councilor to be a bridge to the Hispanic community. Some of the issues were not coming across and there was a language barrier.

Councilor Dale asked about Mr. Rubio's comments about opportunities for Urban Renewal to improve Canby.

Mr. Rubio said it had to do with partnering with businesses and organizations, such as Clackamas Community College bringing a satellite school to Canby or bringing a hotel to the City or creating an original center that brought in investments to the Urban Renewal District. They needed to look at projects that would bring in money and tourists to the City.

Councilor Coleman asked what he liked best about Canby and what businesses would he like to see come to Canby that were not here.

Mr. Rubio stated he liked the small town feel of Canby. He thought an entertainment company that could come in and bring concerts on a regular basis would be good as well as a hotel, community center, developing the waterfront property, and small business development company.

Jason Padden had lived in Canby for 11 years and had been involved in local organizations and the City for nine of them including the Urban Renewal Agency, Street Maintenance Task Force, City Council, Budget Committee, and Lions Club. He liked to get involved and make a difference in the community. He was also a volleyball official. For work he was a traveling dirt and timber salesman. The sales department was being restructured and he anticipated he would be having more time on his hands. This did not happen in time for him to put his name on the ballot. He wanted to be a City Councilor because he wanted to give back to the community. He would run for the seat in the November 2018 election if he was selected. He was familiar with how the Council operated and he had continued to stay involved and kept up with City issues. He had sent a letter to Council suggesting they not fund the speed tables on Birch Street with the Street Maintenance Fee. He thought he had good connections to the younger people who had moved to Canby and had a good perspective from coming to a small community that was dying to a younger and thriving community. The most pressing problem in the City was dealing with growth, especially with housing and transportation needs. He dealt with a lot of angry people in sales and explained how he worked through the problems with customers through hard work and humility. He had worked hard to make sure the streets of Canby were being maintained and the Street Maintenance Fee was being used properly. He thought the fee needed to be increased, especially when the County was not willing to pay to bring roads up to City standards so the City could take jurisdiction of them. He was willing to go to the County to discuss this issue as often as needed to get it taken care of as well as a letter or email campaign. Sidewalks were also an issue. He gave an example of how he worked with the Canby Lions Club for their Christmas tree fundraiser and how he had helped raise the profits and organization of the fundraiser while bridging gaps and making compromises and he could bring that to the Council. He made unpopular decisions as a volleyball official. As City Councilors, they had to understand and respect different opinions and make decisions that were for the good of all. He could not promise that he would make all of the meetings, but he would do his best to attend all he could. He would put in the time to make sure citizens had a voice.

Mayor Hodson asked what Mr. Padden liked best about being a Councilor when he was on Council before and what did he liked least.

Mr. Padden said he liked the collaboration of the Council. Even though they didn't always agree, in the end they came to a consensus and when it was time to talk to the community they were a cohesive group. He did not like that he came on the Council at a time of controversy with the City Administrator and Police Department. They also had paid attention to what past Councils had done and how to move those items forward to the future.

Councilor Hensley asked if he could paint his front door any color, what would he choose.

Mr. Padden would paint the frame blue as it was his favorite color, but the inside would be clear glass. It was important for the Council to be able to look outside and see what was going on in the community and for the community to be able to look inside at the Council.

Councilor Heidt asked how he would reach out to the Hispanic community.

Mr. Padden interacted with the Hispanic community through his work, but he did not speak much Spanish. There were people in the community who wanted to make that happen and the Council needed to use them as the conduit to bridge the gap. It was something that was lacking and he was not sure how he would approach it, but he would be willing to work on it.

Councilor Coleman asked what he liked best about Canby, what he thought about tourism, and if he had ideas for creating a dog park.

Mr. Padden liked that Canby was close to everything but far enough away to not be part of it all. The dog park had been discussed a lot and it was a need in the City, but funding was the problem. He thought if they could find the funding to build it, the community would help maintain and police it. Tourism was important and thought more could be done. He thought an RV park/campground and a new business incubator were good ideas for future projects.

Shawn Varwig wanted to be a Councilor because of his love for Canby and his desire to serve. He was married and had two children. He opened his own company in Canby. Before that he was a Chief Operations Officer for a company in Wilsonville. He served as chairman of the ambassador team for the Wilsonville Chamber of Commerce as well as on the Public Policy Committee and Board of Directors. He also served on boards and committees of his church and non-profit organizations. He grew up in a town similar to Canby but the town grew rapidly and was no longer recognizable. He thought growth was necessary and supported it, but he did not want his children to look back 30 years from now and remember how Canby used to be the way he did about the city where he grew up. It appealed to him to have a part in helping to guide and shape the future. He planned to run for a Council position in the November 2018 election. He thought the most pressing problem in Canby was growth and marketing of downtown. They did not have the same visibility as businesses along 99E and there needed to be ways to attract people to downtown. He gave an example of a situation where he had to deal with an upset customer when he worked at a call center during a merger. What he learned at that job was that while sometimes they did not agree on something, talking through it in a respectful manner would most often lead to a result that was mutually beneficial to all. One of his goals was to increase the visibility of the downtown businesses. He wanted to implement a downtown merchants association and have the landscaping improved throughout the City and along 99E. The most recent example of how he had worked on a team was serving on the Canby Independence Day Celebration Committee for the kids' activities. What he learned from that was while people might come from different backgrounds and experiences, they could still get together and come up with great resolutions for an event. As a business

owner and previously a Chief Operations Officer, he had to make unpopular decisions sometimes. One time he had to terminate an employee due to antics happening behind the scenes. The employee was popular with staff and clients, but it was the best decision for the company. If selected, he would be able to make the time commitment to be an active and engaged Councilor.

Mayor Hodson asked about his involvement in the Public Policy Committee for the Wilsonville Chamber of Commerce.

Mr. Varwig stated when he was on the Committee, Measure 97 was a big concern and most of the discussion was about what position to take on it. They also did candidate forums. He could not think of a time where he was contrary to the recommendations of the Committee. He was an open person on issues and did not make political affiliations.

Mayor Hodson asked what he had done in the last 60 days to prepare for the role of Councilor. Mr. Varwig had reviewed previous City Council meetings.

Mayor Hodson asked what he thought about Urban Renewal as a tool and how did he see Canby using it going forward.

Mr. Varwig said he had a lot more to learn regarding Urban Renewal. Growth was inevitable and they needed to use all the tools available to make responsible decisions.

Councilor Coleman asked what the City should do to better help the business community and what steps would he recommend to help the health of the downtown business district.

Mr. Varwig thought the City needed to be in sync with the Chamber of Commerce and talking through issues that affected businesses.

Councilor Heidt asked what liaison role he would be most passionate about.

Mr. Varwig said the Planning Commission.

Irene Koney was born in Marion County and had lived in Canby for 11 years. She had five sons and two daughters and five grandsons and two granddaughters. She currently worked for City Auditors Independent Police Review. She started a non-profit for residents in Clackamas and Marion Counties for the Russian community and was one of the first people to serve on the Diversity Committee for domestic violence and sexual assault shelters for Oregon, served on the Minority Voting Task Force, and was a member of the Clackamas County Diversity and Equity Leadership Team. She also served on the Human Trafficking Task Force and Metro's Equity Strategy Committee. She wanted to serve the City and create a strategic plan for how they were going to grow. She was the daughter of immigrants and a working mom of seven that had faced many challenges and had a unique perspective that the Council needed. She knew how to bring people together and how to find solutions by listening to everyone's voice and knew how to get things done on time and under budget. She would run again in the November 2018 election if she was appointed. She was currently campaigning for the upcoming election and she had heard a lot about the needs of the community. There were many problems facing working families, such as housing prices, transportation, and lack of programs and services for youth. They needed to create a livable city where people could work, live, shop, and play without having to leave the city every day. She had an upset customer she was currently working with, the City of Portland, and as the public relations person for her job where they investigated complaints of police misconduct she met

a lot of people who were upset on a daily basis. One improvement in the City she would like to make was to hold a National Night Out event. This would cost the City nothing, and would bring people together. She admired the work Bridging Cultures was doing, but she thought more needed to be done. Regarding working as a team, she was often in the community and hearing what needed to happen and working with elected officials, neighborhood associations, and stakeholders. She worked to build awareness of minorities and the most recent example was coordinating a radio show in Russian to let them know about City Audit services and how unlike other countries there were accountability structures for cities. As far as unpopular decisions, a couple of weeks ago her office was shut down due to police negotiations and instead of staying inside she went out to connect to the people trying to get their voices heard. She was good at time management. She had raised her family and thought it was now time to serve her City.

Mayor Hodson asked how the City could support working families and improve public safety.

Ms. Konev replied there needed to be a better relationship with the police and citizens. If people trusted the police they would share information about crimes earlier. They needed to bring in more jobs for citizens. She wanted to work with the Chamber to bring in trainers from other areas who were marketing to the Latino community. The business community, Chamber, and Council needed to get together every quarter to check in and see what could be done for each other.

Councilor Dale asked how she would improve transportation.

Ms. Konev responded there needed to be a larger conversation with Tri-Met and Metro to find ways to make the City's transportation system more in sync with other systems. People also needed to be aware of the Dial-A-Ride options.

Councilor Heidt asked how she would reach out to the Hispanic community.

Ms. Konev stated there was an organization that was training the Latino community to serve on boards and commissions and she was asked to speak to them about her journey to decide to run for Council. If they listened, the people would tell them how to reach them. She had also encouraged Latino women to run for Council. The more diverse they looked, the more people would want to participate.

Councilor Coleman asked what liaison duties appealed the most to her and if she would advocate city training to teach about city government to various groups.

Ms. Konev said the Clackamas Equity Strategy Committee was working on putting together training for youth on the civic engagement process. She would like to be liaison to the Traffic Safety Commission.

The Council took a short break.

Mayor Hodson thanked the candidates for applying.

Councilor Coleman had been through the application process and thought the Council was following the correct procedure. His top two candidates were Tyler Smith and Jason Padden due to experience and background.

Councilor Parker said his top two were Jason Padden and Irene Konev.

Councilor Dale's top two were Tyler Smith and Shawn Varwig.

Councilor Hensley said her top two were Tyler Smith and Shawn Varwig.

Councilor Heidt summarized the strengths of the candidates. Her top two were Jason Padden and Irene Konev. She was concerned about the past partisan activities of Tyler Smith. Part of the culture in Canby was to be inclusive and she wanted to make sure all felt welcome.

****Councilor Parker moved to appoint Jason Padden to fill the upcoming vacant Council position currently held by Todd Rocha to be sworn in on November 2, 2016 with a term ending on December 31, 2018. Motion was seconded by Councilor Heidt and failed 2-3 with Councilors Dale, Hensley, and Coleman opposed.**

****Councilor Coleman moved to appoint Tyler Smith to fill the upcoming vacant Council position currently held by Todd Rocha to be sworn in on November 2, 2016 with a term ending on December 31, 2018. Motion was seconded by Councilor Dale and passed 4-1 with Councilor Heidt opposed.**

Mayor Hodson adjourned the meeting at 9:00 p.m.

Kimberly Scheafer, MMC
City Recorder

Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood