

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
September 4, 2019**

PRESIDING: Mayor Brian Hodson

COUNCIL PRESENT: Tim Dale, Shawn Varwig, Sarah Spoon, Greg Parker, Trygve Berge and Traci Hensley

STAFF PRESENT: Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; Sandra Freund, Senior Planner; Irene Green, Library Director; Bryan Brown, Planning Director

OTHERS PRESENT: Paul Ylvisaker, Larry Vargas, Sarah Rodriguez, Judi Jarosh, Matt Dale, Matt English, Amira Stanley

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:01p.m. in the Council Chambers followed by the opening ceremonies.

Patriot Day Proclamation – Mayor Hodson read the proclamation declaring September 11, 2019 as Patriot Day and presented it to Matt English, Canby Fire Division Chief. Chief English discussed the Fire Department's annual 9-11 memorial.

Canby Public Library Day Proclamation – Mayor Hodson read the proclamation declaring September 16, 2019 as Canby Public Library Day and presented it to Irene Green, Library Director. Ms. Green discussed library programs and services.

COMMUNICATIONS: None

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Paul Ylvisaker, Canby resident, expected the City and School District to adhere to their core values. A petition was given to the School Board and Council in August which requested a moratorium from the explosions at the high school football games to readdress the situation. The petition was ignored and little had changed since the first time he addressed the issue with the Council a year ago. In the paper it stated that the fireworks were already the least percussive available and he didn't think anything would change.

Sarah Rodriguez, Canby resident, gave a recap on the Diversity Night Out on August 24. It was a successful event. She also gave a background on the Canby Transgender Alliance.

Larry Vargas, Canby resident, was on the Canby Heritage and Landmark Commission. He announced the annual cemetery clean up would be held on September 21 at Zion Cemetery.

MAYOR'S BUSINESS: Mayor Hodson reported on Canby's Big Weekend, Canby Cruise In, and Swan Island Dahlia Festival. School was back in session, and he cautioned drivers to watch out for the children. He went to a County transportation meeting regarding the transportation bond projects.

COUNCILOR COMMENTS & LIAISON REPORTS:

Councilor Parker said the Bicycle and Pedestrian Committee discussed improving the safety around Trost Elementary. They would be taking a three hour hike at Legacy Park on Friday. He talked with the Clackamas County PFLAG organization and had worked at the Dahlia Festival.

Councilor Hensley thanked everyone who volunteered to help with Canby's Big Weekend.

Councilor Varwig said the library was busy. The Fire Department was working on the bond projects.

Councilor Spoon said CTV5 would reopen in the fall. They were offering training as well. First Thursday was tomorrow night. There would be Saturday bus service beginning September 7. She thanked all the organizations who participated in Diversity Night Out. Movies in the Park was a success.

CONSENT AGENDA: **Councilor Dale moved to adopt the minutes of the August 7, 2019 City Council Regular Meeting and the August 21, 2019 City Council Regular Meeting, and to appoint Rachel Swanson to the Heritage and Landmark Commission for a term to end on June 30, 2021. Motion was seconded by Councilor Hensley and passed 6-0.

PUBLIC HEARINGS: TA 19-02 – Mayor Hodson opened the public hearing and read the public hearing format.

CONFLICT OF INTEREST:

Councilor Berge – No conflict, plan to participate.
Councilor Parker – No conflict, plan to participate.
Councilor Hensley – No conflict, plan to participate.
Councilor Dale – No conflict, plan to participate.
Councilor Varwig – No conflict, plan to participate.
Councilor Spoon – No conflict, plan to participate.
Mayor Hodson – No conflict, plan to participate.

EX PARTE CONTACT:

Councilor Berge – No contact.
Councilor Parker – No contact.
Councilor Hensley – No contact.
Councilor Dale – No contact.
Councilor Varwig – No contact.
Councilor Spoon – No contact.
Mayor Hodson – No contact.

STAFF REPORT: Sandra Freund, Senior Planner, presented the staff report. This was a request to amend Chapter 16 of the Zoning Ordinance for the duration of temporary vendor permits. It would grant an additional 90 day extension to allow someone to conduct business for a total of 270 days in one calendar year instead of 180 days. The Planning Commission recommended approval of the text amendment.

Mayor Hodson asked what led to this request. Ms. Freund said staff had received requests for extensions. They were from people who were trying their businesses out to see if they were viable.

Councilor Berge asked if this was for food carts as well. Ms. Freund said it was stated at the Planning Commission that it might be a back door for food carts, but she had assured them that it was not. The discussion on food carts would be much larger code amendment and would be a public process.

Councilor Spoon clarified the businesses had to get a business license and a temporary vendor permit. She asked if with the timing, a business might never have to find a brick and mortar location. She wanted to make sure they were being fair to all businesses.

Mr. Robinson stated they had to reapply every 90 days, and if there were issues with neighbors or other businesses there was an opportunity to protest. The advantage of the longer duration for these permits was that a business who was trying to see if it could be competitive in the community had a better opportunity to make that determination.

Councilor Spoon asked if there was an advantage to limiting the number of consecutive years they could have a permit in order to encourage them to go through the process other businesses did. Mr. Robinson said one of the questions was if this was creating an unfair advantage, and he thought they would have to wait and see if that was the result.

PUBLIC TESTIMONY: None

Mayor Hodson closed the public hearing.

Councilor Spoon suggested tracking the businesses that got a permit year after year to make sure no one was abusing the process.

RESOLUTIONS & ORDINANCES:

Ordinance 1514 – ****Councilor Dale moved to adopt Ordinance 1514, AMENDING CANBY'S COMPREHENSIVE PLAN AND TITLE 16 OF THE CANBY MUNICIPAL CODE SUBJECT TO THE FINDINGS AND FINAL ORDER OF THE PLANNING COMMISSION UTILIZING THE REVISED TEXT AMENDMENT LANGUAGE PROVIDED BY STAFF WHICH WAS ATTACHED TO THE JULY 8 SUPPLEMENTAL MEMORANDUM TO THE PLANNING COMMISSION AND WITH THE FURTHER AMENDMENTS OF STATE DEFINITIONS FOR RESIDENTIAL CARE FACILITIES ALONG WITH AN OUTRIGHT OR CONDITIONAL USE IN THE R-1 ZONING. Motion was seconded by Councilor Varwig and passed 6-0 by roll call vote.**

Ordinance 1520 – ****Councilor Dale moved to approve Ordinance 1520, AMENDING CANBY LAND DEVELOPMENT AND PLANNING ORDINANCE, TITLE 16, OF THE CANBY MUNICIPAL CODE to come up for second reading on September 18, 2019. Motion was seconded by Councilor Hensley and passed 6-0 on first reading.**

NEW BUSINESS: Findings, Conclusion & Final Order CPA/TA 19-01-

****Councilor Hensley moved to adopt the Findings, Conclusion and Final Order for CPA/TA 19-01. Motion was seconded by Councilor Varwig and passed 6-0.**

City Administrator Employment Agreement-

****Councilor Hensley moved to adopt the City Administrator Employment Agreement with Scott McClure. Motion was seconded by Councilor Spoon and passed 6-0.**

CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None

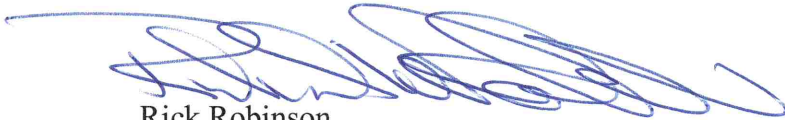
CITIZEN INPUT: None

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Ordinance 1514.
3. Approved Ordinance 1520 to come up for second reading on September 18, 2019.
4. Approved Findings, Conclusion & Final Order for CPA/TA 19-01.
5. Approved City Administrator Employment Agreement with Scott McClure.

There was no Executive Session.

Mayor Hodson adjourned the Regular Meeting at 7:58 p.m.



Rick Robinson
City Recorder Pro-Tem



Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood