

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
November 7, 2018**

**PRESIDING:** Mayor Brian Hodson.

**COUNCIL PRESENT:** Tyler Smith, Greg Parker, Traci Hensley, Tim Dale, Tracie Heidt, and Sarah Spoon.

**STAFF PRESENT:** Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; Irene Green, Library Director; and Kim Scheafer, City Recorder.

**OTHERS PRESENT:** Shawn Varwig, Kathleen Polley, Carol Rosen, Carol Palmer, Lisa Weygandt, Buzz Weygandt, Bob Zimmer, Charles Burden, Nancy Martin, Eric Pfeiffer-Robinson, Shannon Allee, Roger Skoe, Regina Taylor, Robert Taylor, Barry Johnson, and Patty Green.

**CALL TO ORDER:** Mayor Hodson called the Regular Meeting to order at 7:09 p.m. in the Council Chambers followed by the opening ceremonies.

Library Community Survey Results Presentation – Carol Palmer, Library Board member, and Irene Green, Library Director, gave a PowerPoint presentation regarding the library survey results. The survey ran from August 20 to September 21, 2018. It was in English and Spanish and had 20 questions. There were 523 respondents and there were 734 additional comments. They explained the distribution points for the survey and publicity. Four hundred thirty three people that completed the survey were from Canby. The service population area was 23,984. They then reviewed some of the questions on the survey. The next steps were to do further analysis of the survey responses, review the survey data in terms of other studies/surveys, and re-assess the library's strategic plan based on the survey analysis.

There was discussion regarding some of the changes that would be made due to the survey results.

FIDO Pet Food Bank Presentation – Nancy Martin said they were a 501(c) 3 in Clackamas County. They filled a void by providing pet food to people who otherwise could not purchase pet food. There was a food bank every third Saturday of the month and they had served 119 families this month, 34 from Canby. She explained the program that they did for senior citizens. They also had programs for homeless, veterans, domestic violence, and emergency response. She also described how they had helped feed animals who were evacuated due to the Columbia Gorge fire.

Councilor Parker saw this as a mental health service in the community and thanked Ms. Martin for the work.

**COMMUNICATIONS:** Rick Robinson, City Administrator, said there was a letter in the packet from the Library Board thanking the Council for voting no on the IGA with the County.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** Eric Pfeiffer-Robinson, Canby resident, said justice was nonpartisan. He was disappointed in the polarization of national politics and spoke about recent tragedies in the nation. He thanked the City for keeping citizens safe.

**MAYOR'S BUSINESS:** Mayor Hodson had asked Shannon Allee from Hotrod Dreamworks to attend the meeting to speak about the scarecrow contest.

Ms. Allee said they held the first ever scarecrow contest downtown and explained how she had organized the event. She thanked Millars Point S, Canby Ford, Clint Coleman, LPL Financial, Canby Signs and Graphics, Canby Builders, Canby Herald, and Farmer's agent Christina. Canby Herald did free advertising and Canby Signs and Graphics made the signs at a very low cost. All of the other donations were cash. There were 19 scarecrows and she hoped there would be more next year. She explained who created a scarecrow and announced the winners.

Mayor Hodson presented Ms. Allee with a Certificate of Appreciation.

Mayor Hodson reported on the Downtown Civic Block Community Visioning Forum, Small Business Boot Camp and a Canby Tourism meeting where the Strategic Plan for Improving Water Based Tourism in Oregon's Mt. Hood Territory was discussed. He thought they should give direction to the Parks and Recreation Advisory Board for them to give the Council recommendations for splash pad locations, to review the strategic water tourism plan, to start planning the future dog park, to work on the Logging Road Trail Bridge enhancements, and to discuss and recommend amenities to existing parks. This work would be done while the Parks Master Plan update was taking place.

Councilor Spoon thought this would help with the master plan work and water front access.

Councilor Heidt was in support as the Board would be able to have activities to work on.

Councilor Parker thought the Board should look at the water front access and upgrades to existing facilities.

Mayor Hodson had participated in the audit of Trost Elementary and the Safe Routes to Schools improvements. He reported that the Clackamas County Coordinating Committee discussed the transportation future study and vehicle registration fee. He asked if the Council's position on the vehicle registration fee was still in support if the money was shared and County roads in the City were addressed first. The Council consensus was yes.

He thanked the downtown businesses, Chamber, and City staff for the Halloween fun. He announced there would be an event at the Vietnam Memorial on November 11.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Parker said the Bike and Pedestrian Committee met last week and participated in the safety audit at Trost Elementary. The Heritage and Landmark Commission did a pilot project on Where Do We Live. It used the County's online map system and land use records to show people how the City was originally platted. The next Bike and Pedestrian Committee meeting would be on December 11. There would be a planting event on 99E on November 17.

Councilor Hensley attended the Canby Utility Grand Opening and Civic Block Community Visioning Forum. The next Canby Ferry meeting would be on January 15. On November 12 there would be a training in the Willamette Room of the Library on signs of depression and how people could help.

Councilor Dale attended the Canby Utility Open House and Civic Block Community Visioning Forum. There would be a Budget Committee meeting next Wednesday.

Councilor Heidt said the Friends of the Library paid for the teen room. There would be a Veterans Day program at the library on November 13 and there would be a holiday swag making event on November 27.

Councilor Spoon attended the Civic Block Community Visioning Forum and the SW Neighborhood Association meeting. She and the Mayor met with the CTV5 Chair. The model of CTV5 was changing, but it was available for some services.

**CONSENT AGENDA: \*\*Councilor Dale moved to adopt the minutes of the October 3, 2018 City Council Regular Meeting; October 17, 2018 City Council Regular Meeting; and the reappointment of John Savory to the Planning Commission for a term to end on December 31, 2021. Motion was seconded by Councilor Hensley and passed 5-0.**

## **RESOLUTIONS & ORDINANCES:**

Ordinance 1496 – **\*\*Councilor Hensley moved to adopt Ordinance 1496, AN ORDINANCE, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 9.99 ACRES INCLUDING 9.69 ACRES OF REAL PROPERTY DESCRIBED AS TAX LOTS 3100, 3200, AND 3201 OF PORTION OF SE ¼, SEC. 28, T.3S., R.1E., W.M. (TAX MAP 31E28DD); AND APPROX. 0.30 ACRES OF ADJACENT N PINE STREET RGHT-OF-WAY; AND AMENDING THE EXISTING COUNTY ZONING FROM RURAL RESIDENTIAL FARM FOREST FIVE ACRE (RRFF-5) TO CITY LOW DENSITY RESIDENTIAL (R-1) FOR THE ENTIRE AREA; AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CANBY CITY. Motion was seconded by Councilor Spoon and passed 5-0 by roll call vote.**

Ordinance 1497 – Mr. Robinson explained tonight's conversation was limited to the proposed changes to the municipal code. The underlying purpose and intent of the changes was to provide additional clarity to law enforcement officers when they were enforcing the truck ban on certain roads.

Jennifer Cline, Public Works Director, said it was brought to the Traffic Safety Commission that several trucks were traveling on SE 13<sup>th</sup> Avenue which was no longer a truck route since the construction of Sequoia. In order to enforce it, changes had to be made to the code regarding the definitions of truck, restricted route, and truck route.

**\*\*Councilor Hensley moved to approve Ordinance 1497, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 10.04 CITY TRAFFIC CODE to come up for second reading on December 5, 2018. Motion was seconded by Councilor Heidt.**

Councilor Dale clarified these changes were not restricting SE 13<sup>th</sup> any more than how the TSP classified the road. This was stating SE 13<sup>th</sup> was not a truck route. For trucks wanting to go southbound, they needed to use 99E, not cut through on SE 13<sup>th</sup>.

Councilor Smith arrived at 8:50 p.m.

Kathleen Polly, Canby resident, said the Industrial Park had been in process for over 30 years and during that time there had been a lot of change. There were currently eight projects just completed or in the process of being completed in the Industrial Park. She did not think Sequoia would be enough to fully handle the truck traffic. There needed to be another access to the highway.

Lisa Weygandt, Canby resident, read a letter from Walt Daniels, former Council President, from 2007 regarding Berg Parkway being an access to 99E and the Industrial Park. She also read the staff report for the URD loan and how the City made commitments to American Steel for the Sequoia and Berg Parkway extensions. Berg Parkway provided a connection through 13<sup>th</sup> Avenue to 99E and represented a

segment of the overall regional transportation and access improvements in Canby and Interstate 5. She thought the vision was to have that connectivity with Berg Parkway, 13<sup>th</sup> Avenue, and Territorial. She was concerned that the City was constricting the Industrial Park when there was no alternative plan.

Mr. Robinson said these were changes to the definitions for enforcement everywhere in the City. The adopted Transportation System Plan designated the truck routes, and 13<sup>th</sup> was not a designated truck route. In order for it to become one, the Council would need to take action to change the TSP.

Buzz Weygandt, Canby resident, said there were many meetings and discussions held in 2007, and everyone had come to the agreement that 13<sup>th</sup> would be used for trucks.

Mr. Robinson said this ordinance was about the definitions. He thought there should be a separate discussion on the designation of 13<sup>th</sup> between Ivy and Sequoia.

Bob Zimmer, Canby resident, was on the Urban Renewal Advisory Committee and the conversations that the Weygants said did happen. He had been given assurances from the City when the Industrial Park was being formed that 13<sup>th</sup> could be used for trucks.

Charles Burden, Canby resident, thanked the Council for their service. Canby had an Industrial Attraction Plan to bring businesses to the City. In the plan it showed 13<sup>th</sup> being used as a truck passageway. The Industrial Area Masterplan that was done over 20 years ago stated that one of the circulation objectives was to provide for a connection from the Industrial Park to SE 13<sup>th</sup> Avenue. Many people had invested in the Industrial Park. He suggested the Council postpone making a decision to allow time for more people to weigh in on the issue.

Mayor Hodson clarified the language clean-up was due to citizen concerns on SE 13<sup>th</sup>, however this language was applicable to any street in the City. It was an enforcement issue throughout the city.

Mr. Robinson stated they had to follow the adopted TSP, which was adopted in 2010.

Councilor Parker said there might be a conflict between the TSP and promises made in the past. To reconcile that, they could hold a public hearing and change the designation of 13<sup>th</sup>. He would like staff to bring back a report on the points that had been made tonight by citizens. He thought this decision could be deferred until the issue was resolved.

Mr. Robinson said the Council could direct staff to not enforce the truck ban on 13<sup>th</sup> Avenue until this issue was resolved. It had not been enforced, because staff thought this was a truck route until it was brought to their attention by a citizen complaint that it was not.

There was discussion regarding how historically 13<sup>th</sup> had been considered a truck route.

Mr. Robinson thought there was no reason for the Council to delay adoption of this ordinance as it clarified City code. He thought warnings could be issued instead of citations until this was resolved.

Mr. Lindsay pointed out that part of 13<sup>th</sup> was in County jurisdiction, however he did not think it would be enforced if no signs were put up.

The Council agreed the purpose of the ordinance was for clarification of the code and the future of 13<sup>th</sup> was a separate issue.

**Motion passed 5-1 on first reading with Councilor Smith opposed.**

Ordinance 1498 – Ms. Green said currently the Canby Library Board consisted of five members. According to the IGA with the County, they needed to have board members that lived outside the City. This would mean two additional members from unincorporated areas. She would also like to add a high school member to the Board, which would be a non-voting member and would end upon graduation.

**\*\*Councilor Spoon moved to approve Ordinance 1498, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE CHAPTER 2.20.030 AND 2.20.040, REGARDING THE PUBLIC LIBRARY to come up for second reading on December 5, 2018. Motion was seconded by Councilor Heidt and passed 6-0 on first reading.**

**NEW BUSINESS: Findings, Conclusions and Final Order ANN 18-03/ZC 18-03 (ICON Construction) - \*\*Councilor Heidt moved to adopt the Findings, Conclusions and Final Order ANN 18-03/ZC 18-03 (ICON Construction). Motion was seconded by Councilor Hensley and passed 6-0.**

Cancellation of November 21, 2018 City Council Meeting – There was consensus to cancel the November 21 City Council Meeting.

**NEW BUSINESS & STAFF REPORTS:** Mr. Robinson said he had submitted a letter stating he would be retiring on October 31, 2019.

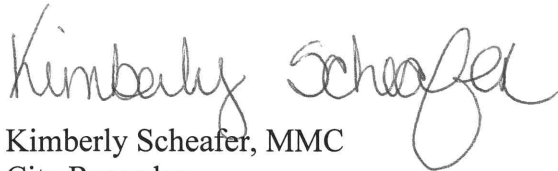
**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Adopted Ordinance 1496.
3. Approved Ordinance 1497 to come up for second reading on December 5, 2018.
4. Approved Ordinance 1498 to come up for second reading on December 5, 2018.
5. Adopted the Findings, Conclusions and Final Order for ANN 18-03/ZC 18-03 (ICON Construction)
6. The November 21, 2018 City Council meeting was cancelled.

There was no Executive Session.

Mayor Hodson adjourned the Regular Meeting at 9:44 p.m.

  
Kimberly Schaefer, MMC  
City Recorder

  
Brian Hodson  
Mayor

Assisted with Preparation of Minutes - Susan Wood