

**CANBY CITY COUNCIL  
CITY COUNCIL WORK SESSION  
September 5, 2018**

Presiding: Mayor Brian Hodson.

Council Present: Tyler Smith, Traci Hensley, Tracie Heidt, and Sarah Spoon. Councilors Greg Parker and Tim Dale were absent.

Staff Present: Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; and Kim Scheafer, City Recorder.

Others Present: None.

Mayor Hodson called the Work Session to order at 6:00 p.m. in the Willow Creek Conference Room.

The Council met in a Work Session to discuss a request from Clackamas County to support a tobacco retail license.

Rick Robinson, City Administrator, said the question before Council was if they wanted to write a letter in support of or opposition to the proposal to create a tobacco retail license. He did not think the County cared what the City's input was.

Councilor Heidt clarified there were 11 tobacco retailers in Canby.

Mr. Robinson said the reason for the license was to generate funds to enforce the change of the legal age to buy tobacco from 18 to 21 and to create an education program.

Councilor Spoon would like to see data about the impact of licensing before charging small businesses \$600 per year.

Councilor Hensley was ambivalent, especially since the County would do what they wanted no matter what the City said.

Councilor Heidt thought the County did want the City's opinion.

Mayor Hodson said it was his understanding that the County Commission already planned to create a license.

Councilor Smith was in favor of creating a license, but he questioned what would be done with the funds.

Mr. Robinson said the new law did not feel right to him, and an initiative to enforce that law did not feel right either.

There was discussion regarding enforcement.

Councilor Hensley thought they should take no position.

Councilor Heidt thought they should support the license.

After more discussion, there was consensus to write a letter thanking the County for coming to a Council meeting to present the information.

Mr. Robinson discussed the mural that had been proposed for the old Police Department building. The applicant was not requesting any money from the Urban Renewal Agency. The applicant would be required to maintain it for five years.

There was discussion regarding what would happen after the five years and the concern about graffiti.

Mayor Hodson adjourned the Work Session at 6:15 p.m.

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**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
September 5, 2018**

**PRESIDING:** Mayor Brian Hodson.

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

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

**OTHERS PRESENT:** Shawn Varwig, Fire Chief Jim Davis, Matt Dale, and Gabe Martushev.

**CALL TO ORDER:** Mayor Hodson called the Regular Meeting to order at 7:00 p.m. in the Council Chambers followed by opening ceremonies.

Patriot Day Proclamation – Mayor Hodson read a proclamation proclaiming September 11, 2018 as Patriot Day in Canby and presented it to Fire Chief Jim Davis. Chief Davis said on September 11 the Fire Department and Police Department would be having a ceremony at the Fire Department at 8:00 a.m.

Canby Public Library Day Proclamation – Mayor Hodson read a proclamation proclaiming September 16, 2018 as Canby Public Library Day and presented it to Irene Green, Library Director. Ms. Green said that September was National Library Card Sign Up. Canby's goal was to get 12,000 registered borrowers and they were up to 11,700. The maker space was available at the library and a community survey was being conducted until September 20. They were also working on outreach.

**COMMUNICATIONS:** None.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:** None.

**MAYOR'S BUSINESS:** Mayor Hodson attended the Metro Mayor's Consortium meeting where the housing bond was discussed. They had decided to take no position on the issue. He discussed the upcoming legislative session and potential bills that might impact the City. He also attended the Small

Cities Economic Consortium meeting where Urban Growth Boundary expansion was discussed. He attended Canby's Big Night Out and Canby's Big Weekend in August. He announced 650 cars were at the Cruise In. He thanked all of the local organizations for their participation in the events. There was an email that was sent to the Council regarding concerns on Township that would be passed on to the Traffic Safety Commission. The Parks and Recreation Advisory Board had rated the City's parks for most visible and highly used. He discussed the ratings given to the parks, and how the Board had looked at whether it was maintenance or upgrading equipment and the amenities that was needed for each park.

**COUNCILOR COMMENTS & LIAISON REPORTS:** Councilor Smith asked Chief Davis to report on the Fire Department.

Chief Davis discussed the fires that had happened during the summer. The burn ban was still in effect. They would be at the next Council meeting to do a presentation on the bond measure that would be on the November ballot. There would also be a Town Hall meeting on October 18 and fact sheets would be mailed to all registered voters.

Councilor Heidt asked if backyard fires were allowed in the City. Chief Davis said no fires were allowed. Small fires could become big fires very quickly.

Councilor Smith said that it was his son's birthday so he would be leaving the meeting early.

Councilor Hensley said the Suicide Prevention Task Force was gaining momentum. There were flyers and talking point cards that were being set out at local businesses.

Councilor Dale said Canby Utility had moved into their new facilities. The Open House would be held in October.

Councilor Heidt said the Library Board had discussed the IGA regarding the Gladstone/Oak Grove libraries. The Library Foundation received a \$10,000 STEM grant and had purchased laptops for the maker space. The Friends of the Library had their first garden tour fundraiser. The Library Board asked about the donor board that was supposed to be put in the lobby.

Rick Robinson, City Administrator, said it was currently being worked on.

Councilor Heidt reported on the Transit Advisory Committee meeting where Title VI, Limited English Proficiency Plan, was discussed.

Councilor Spoon said Bridging Cultures English classes were starting in the next month. Tenants had started moving into the Dahlia Building. El Grito Fiesta would be held at the Clackamas County Event Center on September 15 and 16. The Willamette Falls Heritage Area Coalition would host a free heritage talk on September 20.

**CONSENT AGENDA: \*\*Councilor Dale moved to adopt the minutes of the August 8, 2018 City Council Special Meeting; minutes of the August 15, 2018 City Council Work Session and Regular Meeting; and appointment of Janet Bailer to the Traffic Safety Commission for a term to expire on June 30, 2020. Motion was seconded by Councilor Heidt and passed 5-0.**

Councilor Smith left the meeting at 7:40 p.m.

**RESOLUTIONS & ORDINANCES:** Resolution 1297 – Julie Wehling, Transit Director, said this policy was how Canby Area Transit would comply with civil rights federal regulations. The purpose of the Title VI Plan was to ensure no one was discriminated against because of their race, color, or natural origin. CAT’s first Title VI Plan was drafted in 2008 and ODOT was requiring it be updated every three years. There was a high percentage of Canby residents who spoke Spanish. CAT had focused on providing information to Spanish speaking customers for a while and they more than complied with the regulations. During the outreach for the Transit Master Plan in 2017 they learned a lot about how to market to Spanish speakers. She was working on a way to text announcements and information on CAT, which was how the Latino community wanted to communicate. She explained the other ways they translated documents and engaged the Latino community. A meeting was held in August regarding the Title VI Plan update. The meeting was not well attended. The 2018 version of the plan was not much different from the previous plan and she described the changes. It had been approved by ODOT.

There was discussion regarding providing translation for languages other than Spanish.

**\*\*Councilor Heidt moved to adopt Resolution 1297, A RESOLUTION ADOPTING CANBY AREA TRANSIT’S 2018 CIVIL RIGHTS PROGRAM TITLE VI, LIMITED ENGLISH PROFICIENCY PLAN; AND REPEALING RESOLUTION 1200. Motion was seconded by Councilor Spoon and passed 4-0.**

Ordinance 1492 – Mr. Robinson stated this agreement would transfer the responsibility for the administration of this grant from the State of Oregon to the City of Canby. This would help move forward the quiet zone application process.

**\*\*Councilor Hensley moved to adopt Ordinance 1492, AN ORDINANCE AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE AN IMMEDIATE OPPORTUNITY FUND AGREEMENT WITH THE STATE OF OREGON DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF THE INTERSECTION OF NORTH ELM STREET AND OR-99E IN AN AMOUNT NOT TO EXCEED \$137,951.00; AND DECLARING AN EMERGENCY. Motion was seconded by Councilor Spoon and passed 4-0 by roll call vote.**

**NEW BUSINESS:** Discussion Regarding Clackamas County Vehicle Registration Fee – Mayor Hodson said the Clackamas County Board of Commissioners was looking at increasing the vehicle registration fee. They wanted to know where Canby as a Council stood. He was looking for feedback on the amount of the increase, \$25 to \$30. The second piece was how the funds would be split. There could be a traditional 60% County-40% cities split or a non-traditional approach that honored the split but created a joint fund.

There was discussion regarding how the joint fund would work.

Councilor Dale said since Damascus was no longer a City he recommended that the County use the percentage that would have gone to Damascus as their yearly contribution to the strategic investment fund. He had very little confidence that a strategic investment fund would benefit Canby. He thought Canby would be better off without the fund and keeping the money themselves.

Mayor Hodson thought there should be a different fee for hybrid vehicles. One of the first priorities for these funds would be to repair County roads and give the jurisdiction to the cities. He suggested the County would pay 90% and the City would pay 10% for the repairs.

Councilor Spoon was also hesitant about the strategic investment fund. Canby was geographically isolated and very few of the projects would have an impact on other communities. That would be a deterrent to getting equal funding. If they did create a strategic investment fund, she preferred C-4 to administer it because it would give Canby more of a voice and representation than if the County administered it. She stated hybrid cars did use gas, but agreed there should be a separate fee for electric cars.

Mayor Hodson said the County Commission could pass this without going to the voters. He thought they would pass it without a vote and that they would choose either a \$25 or \$30 increase.

There was consensus for staying with the traditional split of 60%-40% unless they knew for sure that C-4 would be the governing body and that cities would not railroad the use of the funds. Mayor Hodson would also bring back the idea for a fee for electric cars, the priority should be addressing the county roads within city limits, and the caveat for the Damascus funds.

**ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Mr. Robinson received a letter from the State of Oregon on House Bill 4406 to implement a new program for severely rent burdened households for cities with populations over 10,000. The threshold was 25% of renters had to fit within a criterion of spending more than 50% of their household income on rent. The City of Canby was at 16% so it was not required to file the report. He was working with City staff on a draft RFP for the Park Master Plan. It addressed the issues that the Council identified as strong policy questions relating to the current and future application of resources to meet the needs. He was working with Scott Edwards Architecture on a Swim Center Community Room. The goal was to go out to bid in January so construction could start in the spring and be ready by summer. A similar process would be done for the Grant Street Arch. There would be an ordinance on the September 19 agenda for a contract with an engineer for the Elm Street improvements. The Downtown Parking Plan was being worked on as well as a mural for the east side of the old Police Department building. He explained the process for the mural.

Councilor Heidt said it was good that they were reaching out to the local businesses about the Downtown Parking Plan.

**CITIZEN INPUT:** None.

**ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Adopted Resolution 1297.
3. Adopted Ordinance 1492.

There was no Executive Session.

Mayor Hodson adjourned the Regular Meeting at 8:23 p.m.



Kimberly Scheafer, MMC  
City Recorder



Brian Hodson  
Mayor

Assisted with Preparation of Minutes - Susan Wood