

**CANBY CITY COUNCIL
CITY COUNCIL WORK SESSION
September 6, 2017**

Presiding: Mayor Brian Hodson.

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

Staff Present: Joseph Lindsay, City Attorney; Julie Wehling, Transit Director; Nancy Muller, Office Specialist; and Kim Scheafer, City Recorder.

Others Present: Michelle Poyourow.

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 review the proposed Transit Master Plan.

Michelle Poyourow, Jarrett Walker and Associates, said the draft Transit Master Plan was out for public comments through September 28. The Transit Advisory Committee would meet on September 28 and would receive any final comments in a public hearing. The Highway 99E corridor study with Cherriots in Salem was also proceeding. She gave a history of transit in Canby. She then provided a PowerPoint presentation reviewing ridership relative to cost, technical recommendations including more consolidated rides for Dial-a-Ride and a clearer and simpler Route 99 schedule, and public input where there was more interest in increasing Route 99 frequency than reinstating a local circulator. She discussed the recommended Phase 0, which made efficiency improvements to Dial-a-Ride. Phase 1 added frequency and/or expanded Route 99 and she explained an enhanced conceptual schedule. There was a map that showed high boarding stops and showed where improvements such as benches and shelters were needed. Phase 2 either added Saturday inter-city service on Route 99 or added a local circulator route on weekdays. She discussed possible circulator routes. She thought adding Saturday service was considerably less expensive than adding a local circulator. Phase 3 added more weekend service on Route 99 or added Saturday service on a local circulator. The phases could be done simultaneously, or at separate times depending on funding.

Councilor Smith arrived at 6:30 p.m.

There was discussion regarding implementing the enhanced conceptual schedule, how the local circulator would work with Route 99, and increasing ridership.

Mayor Hodson adjourned the Work Session at 7:15 p.m.

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
September 6, 2017**

PRESIDING: Mayor Brian Hodson.

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

STAFF PRESENT: Joseph Lindsay, City Attorney; Irene Green, Library Director; Bryan Brown, Planning Director; Matilda Deas, Senior Planner; and Kim Scheafer, City Recorder.

OTHERS PRESENT: Peter Hostetler, Irene Breshears, Walt Daniels, Ryan Oliver, Pat Schauer, Joyce Ares, Chris Waffle, Fire Chief Jim Davis, Larry Horne, Geanne Horne, Linda Warwick, Dan Hatcher, Rick Gano, Kathleen Myron, Ken Riley, Cindy Riley, Susan Bitter, Lois & Glenn Brooks, Judy Zettergren, Maureen Lynch, Barry Johnson, Ann Johnson, and Mark Triebwasser.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 7:30 p.m. in the Council Chambers followed by opening ceremonies.

POW MIA Recognition Day Proclamation – Mayor Hodson read a proclamation proclaiming September 15, 2017 as POW/MIA Recognition Day and presented it to Pat Schauer.

Irene Breshears, VFW Auxiliary, passed out POW/MIA remembrance envelopes. The Auxiliary's spaghetti dinner fundraiser would be held on September 23.

Canby Public Library Day Proclamation – Mayor Hodson read a proclamation proclaiming September 16, 2017 as Canby Public Library Day and presented it to Irene Green, Library Director.

Ms. Green said they had been in the new Library for one year. She gave a PowerPoint presentation regarding what had been accomplished in that year.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Jim Burdett, Canby Rod and Gun Club, said there was a housing development going in on SE 13th Avenue. The Gun Club recently acquired the former Faist property which was adjacent to SE 13th Avenue. He asked if the City, developers, or realtors could let new residents know they were near an active gun club.

Councilor Smith encouraged him to go to Planning Commission meetings when these developments were discussed.

There was discussion regarding other options for getting the word out.

MAYOR'S BUSINESS: Mayor Hodson attended the Chamber luncheon on Tuesday and they did a brief presentation of the Retail Market Analysis. He encouraged people to be careful now that school was back in session. Several months ago the City had discussed devices to monitor noise control. He asked what the status was. There would be a September 11 Remembrance Ceremony on Monday at the Canby Fire Station.

Joseph Lindsey, City Attorney, said he would speak with the Code Enforcement Officer and Chief Smith regarding the noise control devices.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Smith said the Fire District Board had their election of officers. The Captain interviews had been completed and a candidate was selected.

There would be a retirement party for Chief Fuge on October 19. He had discussed the Park Maintenance Fee with the Fire Board. The Chief suggested merging the pool levy into the park district. The Fire Department had also been helping to put out fires around the region. They were providing more and quicker services through the extra EMS service that the voters had approved. The Fire District was concerned about having to pay the Street Maintenance Fee. The Planning Commission approved the site and design review, Conditional Use Permit, and variance for construction of a building in the Industrial Park. They also approved a minor partition and variance.

Councilor Heidt said the eclipse was excellent. She thanked the Library Director for the Annual Report that she handed out. The Friends of the Library were holding a book sale on September 30. She announced some programs at the Library including Breaking Chains, Slavery on the Oregon Trail on September 26 and Music in the Stacks on September 16. A citizen from the Northeast Neighborhood Association had contacted her concerned about development on N Redwood. She thanked City staff and volunteers who participated in Canby's Big Night Out.

Councilor Spoon said Canby's Big Weekend and movies in the park were well attended. Anyone in the evacuation zone of the Eagle Creek fire could bring their livestock to the Clackamas County Fairgrounds.

CONSENT AGENDA: **Councilor Dale moved to adopt the minutes of the August 16, 2017 City Council Regular Meeting. Motion was seconded by Councilor Hensley and passed 6-0.

PUBLIC HEARING: ZC 17-01/CPA 17-01 - Zone Change/Comp Plan Amendment of 853 & 851 S Redwood Street from Low Density Residential (R-1) to Medium Density Residential (R-1.5) – Mayor Hodson read the public hearing format.

Conflict of Interest

Councilor Smith – 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 Heidt – No conflict, plan to participate.
Councilor Spoon – No conflict, plan to participate.
Mayor Hodson – No conflict, plan to participate.

Ex Parte Contact

Councilor Smith – attended the Planning Commission meeting where this was discussed, but did not speak to anyone.
Councilor Parker – No contact.
Councilor Hensley – No contact.
Councilor Dale – No contact.
Councilor Heidt – No contact.
Councilor Spoon – No contact.
Mayor Hodson – driven by the site.

Bryan Brown, Planning Director, presented the staff report. This was a request for a zone change and Comprehensive Plan amendment for property on S Redwood Street from R-1, low density residential, to R-1.5, medium density residential. These were two tax lots, and the applicant wanted to develop the lower lot. He submitted a different application to divide that lot into three lots through a partition

process to create two additional single family homes. The Planning Commission recommended approval of the zone change. The R-1.5 allowed duplexes, even though that was not what the applicant had in mind at this time. He thought the rezoning was logical as both the areas to the north and west of this property had R-1.5 zoning and this application would change the boundary of the R-1.5 to the streets instead of the middle of the block. There was less R-1.5 in the City than R-1. The lots on this property were very large, which was an inefficient use of the land. Most of the lots nearby would be similar to what the resulting lots with the partition would be. The only question was if this was the appropriate time to make this transition. There had been no public input on this application.

Councilor Smith questioned the staff report where it said the review criteria had been satisfied because the application was increasing the housing opportunity choices by moving from one lot to three lots. He did not think it would increase choices by taking one oversized lot and making three undersized lots.

Mr. Brown said it related to changing the zone from R-1 to R-1.5 and the fact that more land was zoned R-1. To make all types of housing equally available in the community, it made sense to have about an equal amount of zones. It was not the size of the lot; it was how many lots in each zone.

Councilor Heidt verified there was a deficit of R-1.5.

Mr. Brown agreed there was a need for this type of zoning in the community.

Councilor Hensley asked about the noticing since only three people attended the neighborhood meeting for this application.

Mr. Brown said it was a 500 foot radius. That was a typical turnout for this type of meeting.

Mayor Hodson opened the public hearing at 8:32 p.m.

Public Testimony:

Applicant: Peter Hostetler thought the application made sense and was logical. It was the last corner of this block that wasn't designated R-1.5.

Proponents: None.

Opponents: None.

Mayor Hodson closed the public hearing at 8:34 p.m.

Councilor Smith would be voting in favor as the application met all of the approval criteria, but he wanted to make sure in the future that they were careful about increasing density as it also increased traffic and need for services.

Councilor Dale was reluctant to change the zoning as it would affect the look and feel of the established neighborhood and the large lots. He thought the applicant met the criteria and there was a need for R-1.5, so he would be voting in favor.

****Councilor Hensley moved to approve CPA/ZC 17-01 to change Comprehensive Plan Map and Zoning Map land use designation and zoning district respectfully for 853 and 861 S Redwood**

Street from Low Density Residential to Medium Density Residential. Motion was seconded by Councilor Spoon and passed 6-0.

RESOLUTIONS & ORDINANCES: Ordinance 1463 – **Councilor Hensley moved to approve Ordinance 1463, AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF CANBY, CLACKAMAS COUNTY, OREGON FOR TAX LOTS 0503 AND 0504 OF TAX MAP 4-1E-03BB to come up for second reading on September 20, 2017. Motion was seconded by Councilor Heidt and passed 6-0 on first reading.

Ordinance 1464 – **Councilor Heidt moved to adopt Ordinance 1464, AN ORDINANCE AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 5.04.190 REGARDING BUSINESS LICENSE EXEMPTIONS. Motion was seconded by Councilor Dale and passed 6-0 by roll call vote.

Ordinance 1465 – **Councilor Hensley moved to adopt Ordinance 1465, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 9.48.050(A) REGARDING NOISE VARIANCE EXCEPTIONS. Motion was seconded by Councilor Spoon and passed 6-0 by roll call vote.

Ordinance 1466 – Walt Daniels, Canby resident, said there was a lot of talk about the fee and creating a district. Tonight they were voting on the fee, and there were some Councilors against the fee because they wanted a district. There was currently a district that was unfunded and the funding had been voted down by the people several times. He thought more research needed to be done on a district, and in the meantime the parks needed to be maintained. He encouraged the Council to vote in favor of the fee as it could be rescinded at the time a district was formed.

Ryan Oliver, Parks and Recreation Advisory Board Chair, thanked the Mayor at the last meeting for voting in favor. Passage of the ordinance would get the City going on the maintenance plan for parks and gave them the opportunity to build new parks at a responsible rate in the future.

****Councilor Spoon moved to adopt Ordinance 1466, AN ORDINANCE AMENDING THE CANBY MUNICIPAL CODE (CMC) BY ADDING A NEW CHAPTER 3.35, “PARK MAINTENANCE PROGRAM”, AND REQUIRING PAYMENT OF A PARK MAINTENANCE FEE. Motion was seconded by Councilor Heidt and passed 4-3 by roll call vote with Councilors Smith, Hensley, and Dale opposed and Mayor Hodson voting yes to break the tie.**

Ordinance 1467 – Mayor Hodson said the Municipal Audit and Financial Oversight Committee was put in place by the previous Finance Director to work on potential changes to budgeting and auditing processes. The committee had not met in a long time and there was no further need for the committee. Any additional issues could be handled by the Budget Committee.

****Councilor Dale moved to approve Ordinance 1467, AN ORDINANCE AMENDING THE CANBY MUNICIPAL CODE (CMC) BY REPEALING CHAPTER 2.90 REGARDING A MUNICIPAL AUDIT AND FINANCIAL OVERSIGHT COMMITTEE to come up for second reading on September 20, 2017. Motion was seconded by Councilor Smith and passed 6-0.**

Resolution 1274 – **Councilor Heidt moved to adopt Resolution 1274, A RESOLUTION TO ESTABLISH THE AMOUNT CHARGED FOR THE PARK MAINTENANCE FEE. Motion was

seconded by Councilor Parker and passed 4-3 by roll call vote with Councilors Smith, Hensley, and Dale opposed and Mayor Hodson voting yes to break the tie.

NEW BUSINESS: None.

ADMINISTRATOR'S BUSINESS & STAFF REPORTS: None.

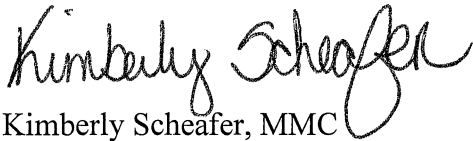
CITIZEN INPUT: None.

ACTION REVIEW:

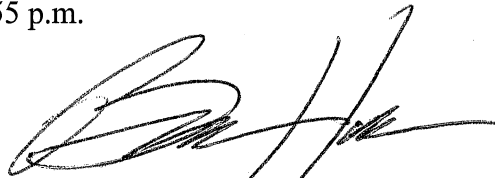
1. Approved the Consent Agenda.
2. Approved Ordinance 1463 to come up for second reading on September 20, 2017.
3. Adopted Ordinance 1464.
4. Adopted Ordinance 1465.
5. Adopted Ordinance 1466.
6. Approved Ordinance 1467 to come up for second reading on September 20, 2017.
7. Adopted Resolution 1274.

There was no Executive Session.

Mayor Hodson adjourned the Regular Meeting at 8:55 p.m.



Kimberly Scheafer, MMC
City Recorder



Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood