

**CANBY CITY COUNCIL
REGULAR MEETING MINUTES
November 2, 2016**

PRESIDING: Mayor Brian Hodson.

COUNCIL PRESENT: Tyler Smith, Greg Parker, Traci Hensley, Tracie Heidt and Clint Coleman. Councilor Tim Dale was absent.

STAFF PRESENT: Rick Robinson, City Administrator; Joseph Lindsay, City Attorney; Bryan Brown, Planning Director; Rod Grafe, Municipal Court Judge; and Kim Scheafer, City Recorder.

OTHERS PRESENT: Bob Cornelius, Todd & Kris Rocha, Karyn Fenton, Marilyn Wood, Rachel Hendricks-Key, Sarah Spoon, Chris Waffle, Fire Chief Jim Davis, Treasa Svantos, Bob Cambra, Tom Rushor, and Seth Rudmark.

CALL TO ORDER: Mayor Hodson called the Regular Meeting to order at 6:00 p.m. in the Willow Creek Conference Room.

****Councilor Hensley moved to go into Executive Session pursuant to ORS 192.660(2)(i) Performance Evaluation of Public Officer. Motion was seconded by Councilor Parker and passed 5-0.**

OPENING CEREMONIES: Mayor Hodson reconvened the Regular Meeting at 7:30 p.m. in the Council Chambers, followed by the invocation and the flag salute.

Presentation to Councilor Todd Rocha – Mayor Hodson presented Councilor Todd Rocha with a plaque thanking him for his three years on the City Council.

Swearing in Ceremony – Tyler Smith was sworn in by Rod Grafe, Municipal Court Judge, to fill the remaining term of Todd Rocha which expires on December 31, 2018. Councilor Smith took his place on the dais.

COMMUNICATIONS: None.

CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS: Karyn Fenton, Canby resident, said at last week's meeting voting in Mr. Smith gave every appearance that the decision was made even before the meeting began. She was shocked at the disregard shown to Councilor Heidt when the discussion she requested did not occur. She said Mr. Smith was quoted as saying a primary task of local and state government must be the removal of all Democrats, which shocked her as it would not be democracy without opposing points of view. True governance and justice came from listening to your opponent and seeing what could be agreed on to move everyone forward.

Rachel Hendricks-Key said Canby was her summer home. She heard from friends and family that Mr. Smith was being appointed to Council. She was shocked because she knew his history of being exclusive and not accepting of minorities. She did not feel comfortable in Canby and she wished they had listened to the people instead of appointing someone who did not represent what the majority of the community wanted.

Marilyn Wood, representing Bridging Cultures, invited the Council to attend the Bridging Cultures eighth annual Thanksgiving Celebration on November 19 at 5:00 p.m. at Baker Prairie Middle School.

MAYOR'S BUSINESS: Mayor Hodson said the street sweepers had increased activity keeping the road drains and gutters clean from debris. The problem was amplified when people put their leaves into the street. He asked people to please not rake leaves into the streets. He thanked the downtown businesses for the Halloween event and thanked the organizers of the haunted house at the Fairgrounds.

Rick Robinson, City Administrator, discussed the parking issues at the City Hall block. He explained where the existing parking spots were located and the spots that would be added through new development. The new development would add 44 more spots making a total of 132 parking spots. More spots have opened up because City employees and City customers were no longer using the spots at the previous facilities.

Mayor Hodson understood that the process the Council went through to appoint Councilor Rocha's replacement was not ideal and would not be agreed upon by everyone. He was happy people came and spoke to the Council. Councilor Smith had outside activities that gathered media attention and press. He encouraged people if they had concerns to reach out to Councilor Smith and talk about it. It was an expectation that he would be engaging in the community in all aspects. He did not think it was fair to burn him at the stake before he had been involved or made any decisions. He would expect the same for the new Councilors who would be coming in at the beginning of the year. He encouraged Councilor Smith to reach out to those that had concerns.

Treesa Svantos, Canby resident, asked that the City look into having a bottle drop in Canby similar to what Oregon City had.

COUNCILOR COMMENTS & LIAISON REPORTS: Councilor Parker said the Bike and Pedestrian Committee was excited about the Transit Master Plan study. They would be meeting with the consultant to offer input on bike and pedestrian options. The Committee was developing a bike route map of historic cemeteries. There were two vacancies on the Committee. He thought the Halloween event in downtown was amazing. There were fewer retail participants because Halloween fell on a Monday and several businesses were closed on Monday. The Historic Review Board was working on a historic nomination for the old City Hall building. Regardless of the ownership, it would maintain its historic designation.

Councilor Hensley participated in the Halloween parade. She thanked Hot Rod Dreamworks who brought a vehicle downtown and participated in the Halloween event. She announced A Safe Place received an award for achievements in criminal justice and public safety. The Auxiliary was having a breakfast this Sunday and veterans received a free breakfast that day. On Friday, November 11, there would be a free spaghetti dinner at the American Legion. New unwrapped gift donations were being accepted for the Veterans gift shop.

Councilor Heidt said library usage was way up. In October 2015 there were 9,325 people that came through the door and in October 2016 there were 16,790. The Library Foundation's film festival had been well received. She spoke about the events at the Library including the Day of the Dead Celebration and Fly Gals program. Canby Area Transit buses would not be running on Thanksgiving but would be running on Veterans Day, the day after Christmas, and the day after New Year's. The next Transit Advisory Committee meeting would be on November 17. The Adult Center would have a Home Care Choice program on November 16. The October School District Care Award was given to Diane Holm,

school district nurse. The Canby Reads program started in October. She read the list of partners who were supporting the program. She attended the Clackamas Cities Association Dinner and the Halloween event. She explained how to reserve the conference rooms at the library.

Councilor Coleman went to the haunted house at the Clackamas County Event Center. The next Planning Commission meeting would be held on November 14. They would be interviewing two people for the Planning Commission. The Traffic Safety Commission would be meeting on November 7. He asked Chief Davis to give an update on the Fire Department.

Fire Chief Jim Davis said the Fire Department celebrated Dr. Davies' retirement as their physician advisor. He thanked Councilor Rocha for being liaison to the Fire Board. They had been busy with retirements. Two new fire fighters started last month and two more this month to create a second daytime paramedic unit. The new fire engine the Urban Renewal Agency approved was in route and should be in service by the middle of December. The Fire Department's Strategic Plan was being updated. The holiday events the Fire Department was involved in were coming up soon.

Councilor Smith thanked the Fire Department for providing CPR training to local coaches.

Councilor Hensley said those wanting to participate in the Light the Night parade should contact Jamie Stickel, Main Street Manager.

CONSENT AGENDA: **Councilor Hensley moved to adopt the minutes of the October 19, 2016, City Council Regular Meeting. Motion was seconded by Councilor Parker and passed 4-0-1 with Councilor Smith abstaining.

RESOLUTIONS & ORDINANCES: Ordinance 1449 – **Councilor Hensley moved to adopt Ordinance 1449, AN ORDINANCE, PROCLAIMING ANNEXATION INTO THE CITY OF CANBY, OREGON 1.65 ACRES OF REAL PROPERTY DESCRIBED AS TAX LOT 1800, OF SECTION 28, T3S, R1E, WM (ASSESSOR TAX MAP 3-1E-28DD) AND 0.15 ACRES OF NE TERRITORIAL ROAD RIGHT-OF-WAY AND AMENDING THE ZONING FROM COUNTY RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF5) TO CITY MEDIUM DENSITY RESIDENTIAL (R-1.5) AND SETTING THE BOUNDARIES OF THE PROPERTY TO BE INCLUDED WITHIN THE CITY LIMIT; AND APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF CANBY AND JOHN MEREDITH, PROPERTY OWNER, FOR 1.65 ACRES OF LAND. Motion was seconded by Councilor Coleman.

Mr. Robinson said at the last Council meeting there was a public hearing on this annexation request and Bryan Brown, Planning Director, made a presentation to the Council explaining how the property was appropriate for annexation and met all of the criteria.

Motion passed 4-0-1 by roll call vote with Councilor Smith abstaining since he participated in the Planning Commission meeting where this was discussed.

Ordinance 1450 – Joseph Lindsay, City Attorney, said a citizen had come before the Council upset with the Code and definition of what instruments the City could use to measure sound. Technology had changed since the Code had been written. This amendment generalized the types of instruments allowed and law enforcement could respond to complaints between the hours of 10 p.m. and 7 a.m., not just Code Enforcement which would mean overtime, as there was no need for special training.

****Councilor Parker moved to approve Ordinance 1450, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 9.48.010 SECTION B REGARDING NOISE CONTROL STANDARDS AND DEFINITIONS IN THE CITY OF CANBY to come up for second reading on November 16, 2016. Motion was seconded by Councilor Coleman and passed 5-0 on first reading.**

Ordinance 1451 – Mr. Robinson said nine bids were received for this project and the lowest bidder was R.L. Reimers for \$1,951,125.00. This was one of the projects in the Capital Improvement Plan to upgrade the Wastewater Treatment Plant. The upgrades to the plant were addressing specific needs and the odor problems of the facility. He asked that Council approve the ordinance without the emergency clause.

****Councilor Hensley moved to approve Ordinance 1451, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH R.L. REIMERS COMPANY FOR THE 2017 WWTP SLUDGE STORAGE IMPROVEMENTS to come up for second reading on November 16, 2016. Motion was seconded by Councilor Heidt and passed 5-0 on first reading.**

Ordinance 1452 – Mr. Robinson said this was a new agreement with a revised scope to add the new building and remove the ones that were no longer in use.

****Councilor Heidt moved to approve Ordinance 1452, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH MASTER CLEEN, INC. FOR JANITORIAL SERVICES FOR VARIOUS CITY FACILITIES, NOT TO EXCEED \$55,687.00 to come up for second reading on November 16, 2016. Motion was seconded by Councilor Coleman and passed 5-0 on first reading.**

Ordinance 1453 – Mr. Lindsay said this was a continuation of a replacement plan for police vehicles. Price was a driving factor in purchasing these Ford vehicles. The cost per car was \$52,000.

****Councilor Parker moved to approve Ordinance 1453, AN ORDINANCE AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH GRESHAM FORD, OREGON; DAY WIRELESS SYSTEMS OF SALEM, OREGON; DATEC INCORPORATED OF SEATTLE, WASHINGTON; MOTOROLA SOLUTIONS OF AMERICA; MPH INDUSTRIES OF OWENSBORO, KENTUCKY; HOT ROD DREAMWORKS OF CANBY, OREGON AND FORD MOTOR CREDIT CORPORATION FOR THE LEASE / PURCHASE OF TWO (2) 2017 FORD POLICE INTERCEPTORS WITH POLICE EQUIPMENT PACKAGES FOR THE CANBY POLICE DEPARTMENT; AND DECLARING AN EMERGENCY to come up for second reading on November 16, 2016. Motion was seconded by Councilor Hensley.**

Councilor Hensley asked for clarification on the use of the emergency clause. Mr. Lindsay explained it would lock in the price and they would be able to get the vehicles a month earlier.

Councilor Smith asked about the lease/purchase of the vehicles.

Mr. Lindsay clarified over the five years, the City would pay the lease/purchase price incrementally so by the end they would own the vehicle and then be able to sell it at the end of its useful life and put the money back into the program.

Mr. Robinson said they usually replaced two vehicles per year.

Motion passed 5-0 on first reading.

NEW BUSINESS: None.

ADMINISTRATOR'S BUSINESS & STAFF REPORTS: Mr. Robinson said he would be attending the third and probably last C4 housing subcommittee meeting tomorrow. The alley behind the new library-civic building had not been paved due to the weather. Staff was working with several companies to make it was a priority. Wilson Construction would be donating their time and equipment to move the helicopter from the Vietnam memorial so that improvements and repairs could be done to it.

CITIZEN INPUT: None.

ACTION REVIEW:

1. Approved the Consent Agenda.
2. Adopted Ordinance 1449.
3. Approved Ordinance 1450, 1451, 1452, and 1453 to come up for second reading on November 16, 2016.

There was no Executive Session.

Mayor Hodson adjourned the meeting at 8:49 p.m.



Kimberly Scheafer, MMC
City Recorder



Brian Hodson
Mayor

Assisted with Preparation of Minutes - Susan Wood