

**CANBY CITY COUNCIL  
REGULAR MEETING MINUTES  
June 16, 2021**

**PRESIDING:** Mayor Brian Hodson

**COUNCIL PRESENT:** Traci Hensley, Sarah Spoon, Greg Parker, Jordan Tibbals, and Shawn Varwig.

**COUNCIL ABSENT:** Christopher Bangs

**OTHERS PRESENT:** Paul Ylvisaker

**STAFF PRESENT:** Scott Archer, City Administrator; Joseph Lindsay, City Attorney; Melissa Bisset, City Recorder/ HR Manager; Julie Blums, Finance Director, Valerie Kraxberger, Tech Services Coordinator; Taylor Kimble, KinTechnology.

**CALL TO ORDER:** Mayor Hodson called the Regular Meeting to order at 7:32 p.m.

**CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS:**

Paul Ylvisaker, Canby resident, asked why the City was giving a variance to the high school to celebrate touch downs with fireworks and there was not a way for citizens to file a grievance or complaint. He did not think it was acceptable for the neighborhood.

Mayor Hodson said the fireworks were a long-standing tradition. Instead of having the School District come every year for a variance, they were allowed in the code.

Mr. Ylvisaker discussed the original ordinance that had an emergency clause and how they should not fast track this decision. Animals were abused during fireworks and now the fireworks would happen six times per year at the high school. He discussed the definition of equity. A quiet zone project was proposed for the north side of town, but was not considered for the south side regarding the fireworks. It felt like segregation and was not inclusive or equitable. He read the core value statements of the School District and City and how the action to allow the fireworks went against these statements. They had taken away the neighborhood's equity and the fireworks needed to stop. He would support fireworks at graduation, but not at football games.

Mayor Hodson said the train noise happened several times per day, and the fireworks happened six times per year. The fireworks were long-standing events.

**CONSENT AGENDA: \*\*Council President Hensley moved to adopt the minutes of the May 19, 2021 City Council Work Session and Regular Meetings. Motion was seconded by Councilor Varwig and passed 5-0.**

## **PUBLIC HEARINGS:**

State Revenue Sharing Funds – Mayor Hodson read the hearing statement.

Julie Blums, Finance Director, presented the staff report. Oregon law required cities to pass a resolution stating they wanted to receive state shared revenues. She estimated the City would receive \$212,800 next fiscal year.

Mayor Hodson opened the public hearing.

There was no public testimony.

Mayor Hodson closed the public hearing.

2021-2022 FY budget as Approved by Budget Committee – Mayor Hodson read the hearing statement.

Ms. Blums presented the staff report. Tonight they would be adopting the 2021-22 FY budget. The Budget Committee met twice this year to review and approve the budget. The next step was for Council to approve the budget.

Councilor Spoon asked if a Work Session would be scheduled regarding the cemetery fund.

Councilor Parker said that would be a topic of the first quarterly Budget Committee meeting.

Mayor Hodson opened the public hearing.

There was no public testimony.

Mayor Hodson closed the public hearing.

Mayor Hodson said there had been conversation about the police budget. Ms. Blums explained how much general revenue the police budget used.

Mayor Hodson noted they had been building back the reserves and they were now about 28-29%.

## **ORDINANCE & RESOLUTIONS: Ordinance 1558 –**

Joe Lindsay, City Attorney, explained this resolution would include the fireworks for high school graduation in the noise variance exceptions. It would recognize past practice and not require the School District to apply every year for the exception.

Councilor Spoon stated that she would like to see the fireworks continue at graduation. She asked if they could add that the School District send an annual notice to the neighbors with the dates of the games and graduation.

Mr. Lindsay said it was not included in the language presented by Councilor Bangs, however it could be added.

Councilor Spoon asked if this was a noise sensitive area.

Mr. Lindsay did not think so. School activities had an allowance for noise up to midnight.

Mayor Hodson asked about the ability for citizens to file a grievance or complaint. Mr. Lindsay said citizens could come to Council to complain, but there was no opportunity to file a complaint about a violation and have a day in court to decide whether or not the code was violated. By making the fireworks an exception, it assured the activity would not go to court.

Mayor Hodson asked about the emergency clause in Section 2 of the ordinance. Mr. Lindsay did not think that was required and the Council could pass the first reading of the ordinance as amended.

Councilor Spoon encouraged the School District to find other ways to celebrate touchdowns at football games.

**\*\*Councilor Varwig moved to adopt Ordinance 1558, AN ORDINANCE AMENDING CANBY MUNICIPAL CODE (CMC) CHAPTER 9.48.050 (A) REGARDING NOISE VARIANCE EXCEPTIONS as amended by removing the emergency clause to come up for second reading on July 7, 2021. Motion was seconded by Council President Hensley and passed 5-0 on first reading.**

**RESOLUTIONS:** Resolution 1350 – Ms. Blums explained the transfers for Court, Planning, Cemetery, Non-Allocated, Facilities, and Sewer funds.

**\*\*Councilor Spoon moved to approve Resolution 1350, A RESOLUTION ADOPTING BUDGET APPROPRIATION TRANSFERS FOR THE 2020-2021 FISCAL YEAR. Motion was seconded by Councilor Parker and passed 5-0.**

Resolution 1352 – Ms. Blums said staff's estimate was the City would receive \$212,800 in state shared revenues and this was the annual resolution telling the state they wanted to collect that money.

**\*\*Councilor Spoon moved to approve Resolution 1352, A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUE FOR FISCAL YEAR 2021-2022. Motion was seconded by Councilor Varwig and passed 5-0.**

Resolution 1351 – Ms. Blums said this was the annual resolution to adopt the City's budget beginning July 1, 2021 to June 30, 2022 as well as setting the tax rate and swim center levy.

**\*\*Councilor Spoon moved to approve Resolution 1351, A RESOLUTION ADOPTING THE BUDGET, MAKING APPROPRIATIONS AND IMPOSING AND**

**CATEGORIZING TAXES FOR THE 2021-2022 FISCAL YEAR. Motion was seconded by Councilor Varwig and passed 5-0.**

Resolution 1353 – Ms. Blums said this resolution approved a loan for the library to get them through the first six months of the year because their tax revenue did not come in until January. Once the money was received, the loan would be immediately paid off with interest.

**\*\*Council President Hensley moved to approve Resolution 1353, A RESOLUTION AUTHORIZING AN INTERFUND LOAN FROM THE CEMETERY PERPETUAL CARE FUND TO THE LIBRARY FUND IN THE AMOUNT OF \$500,000 AND AUTHORIZING REPAYMENT OF THE INTERFUND LOAN IN FISCAL YEAR 2021-2022. Motion was seconded by Councilor Spoon and passed 5-0.**

Resolution 1354 – Ms. Blums said this resolution would update the master fee schedule. She noted that there were minor changes to the Police Department and Court fees and they had added a returned electronic payments fee and fee for utilities to be charged to tenants instead of landlords. There were increases to the Parks Maintenance Fee by 22 cents, SDCs by 3.66%, and Planning fees.

Mayor Hodson noted the fees were increased but still lower than most cities and did not price developers out. Ms. Blums clarified this was not 100% cost recovery, but they were getting closer.

Discussion ensued regarding a policy for 100% cost recovery for Development Services.

Council President Hensley was opposed to increasing the Parks Maintenance Fee. She thought it should have gone to the voters.

Councilor Tibbals would also be voting against the Parks Maintenance Fee increase because it should have gone to a vote.

**\*\*Councilor Spoon moved to approve Resolution 1354, A RESOLUTION SETTING FEES FOR SERVICES AND REPEALING RESOLUTION 1312, AND ALL PREVIOUS RESOLUTIONS ADOPTING A MASTER FEE SCHEDULE. Motion was seconded by Councilor Parker and passed 3-2 with Councilors Hensley and Tibbals opposed.**

Resolution 1355 – Scott Archer, City Administrator, said the City provided workers compensation coverage to all volunteers through CIS. The insurance provider required the City to have a current resolution on file every year.

**\*\*Councilor Spoon moved to approve Resolution 1355, A RESOLUTION EXTENDING WORKERS COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF CANBY AND REPEALING RESOLUTION 1338. Motion was seconded by Councilor Varwig and passed 5-0.**

**MAYOR'S BUSINESS:** Mayor Hodson congratulated the graduating class of 2021 and recognized their challenges due to COVID-19. The Park Master Plan was moving forward. There would be a grand opening of the Splash Pad at Maple Street Park on Friday afternoon. At the last Region 1 Area Commission on Transportation meeting they discussed STIP funding and tolling/congestion pricing. The Clackamas County Coordinating Committee met and also discussed tolling/congestion pricing and a letter was signed regarding the inclusion of I-205 in any potential federal infrastructure package. Typically he did not give more than three minutes for public comment, but Mr. Ylvisaker had come to Council several times about the fireworks and he thought his questions needed to be answered. He did not consider it to be a precedent setting event.

### **COUNCILOR COMMENTS & LIAISON REPORTS:**

Council President Hensley thanked Canby School Board members who made it possible for seven boys to have their moment in the sun.

Councilor Tibbals agreed and thanked them for giving the kids the recognition they deserved.

Councilor Spoon thanked the Mayor for allowing Paul Ylvisaker to speak. She noted it was nice to be back to meeting in person.

Councilor Parker also thanked the Mayor for having Mr. Ylvisaker to speak. He also thanked City staff for their work on the technology for the meetings.

Councilor Varwig thanked Taylor and KinTechnology for their work on the technology. CTV Channel 5 was looking to put a studio at the high school. The Fire Department was working on making sure there was a fire engine on the north side of town when a train was blocking the tracks for a long period of time. He congratulated the class of 2021.

**CITY ADMINISTRATOR'S BUSINESS & STAFF REPORTS:** Mr. Archer commented on the set up in the Council Chambers and how there would be more permanent solutions to the hybrid model of Council meetings. He thanked the Mayor, Budget Committee members, Finance Director, Finance Department, and the other Department Directors who helped with the budget. Regarding the Park Master Plan, GreenPlay was hired as the consultant. They would be meeting with the Parks and Recreation Advisory Board and there would be an extensive and visible public process. The City would be reopening all of the City facilities on Monday, June 21, with a modified schedule moving toward a full reopening. Municipal Court and Administrative staff would be moved to the Civic Offices and Court would be held in the Council Chambers. Refinancing the Urban Renewal debt triggered a review of the City's bond rating. The rating was increased one step up. That meant when the City went out for credit or loans in the future it would give the City better rates. There was over a \$6 million savings in loan payment interest over the remaining life of the Urban Renewal Agency debt. The bonding agency said that it was extraordinary savings.

**CITIZEN INPUT:** None

## **ACTION REVIEW:**

1. Approved the Consent Agenda.
2. Passed Ordinance No. 1558 to a second reading on July 7, 2021.
3. Adopted Resolution No. 1350.
4. Adopted Resolution No. 1352.
5. Adopted Resolution No. 1351.
6. Adopted Resolution No. 1353.
7. Adopted Resolution No. 1354.
8. Adopted Resolution No. 1355.

There was no Executive Session.

Mayor Hodson adjourned the Regular Meeting at 9:32 p.m.

Melissa Bisset  
City Recorder

Brian Hodson  
Mayor

Assisted with Preparation of Minutes - Susan Wood